

# **HUMAN RIGHTS IN AFGHANISTAN, 1987**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON HUMAN RIGHTS  
AND INTERNATIONAL ORGANIZATIONS  
OF THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES  
ONE HUNDREDTH CONGRESS

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THURSDAY, MAY 21, 1987

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
SUBCOMMITTEE ON HUMAN RIGHTS  
AND INTERNATIONAL ORGANIZATIONS,  
*Washington, DC.*

The subcommittee met at 10:23 a.m., in room 2172, Rayburn House Office Building, Hon. Edward F. Feighan presiding.

Mr. FEIGHAN. The Subcommittee on Human Rights and International Organizations will come to order.

The chairman of the subcommittee, Mr. Yatron, has a previous commitment, but he will be here very shortly.

The Subcommittee on Human Rights and International Organizations meets today to examine the human rights situation in Afghanistan. Since the Soviet invasion in December 1979, this country has had one of the most egregious human rights records in the world. It is a country ravaged by war, a country in a state of domestic upheaval.

One-third of its population of sixteen million has fled its homeland to Pakistan, Iran, and other countries, making Afghans now the largest group of refugees in the world. Up to two million Afghans are internal refugees trying to survive in the throes of a civil war and an estimated one million have been killed since the Soviet invasion.

The Government of the Democratic Republic of Afghanistan, dominated now by the Soviets, deteriorated even further in its treatment of its citizenry under the current regime of Najibullah. This former Soviet-trained Director of the Afghanistan Secret Police came into power in 1986, and is a brutal Communist dictator. Among the most serious offenses committed by this government, according to our State Department's Annual Human Rights Report, are excessive numbers of executions, systematic use of physical and psychological torture, no legal safeguards against arbitrary arrest and detention, widespread use of wire taps, state-sponsored censorship, and severe restrictions on all individual liberties, including religious practices.

This protracted war has brought much of the country to ruin and disrupted the social order. The resistance movement, known as the Mujahadeen, has withstood Communist aggression for over eight years. Although this has been the longest period of time that the Soviet Union has engaged in a foreign war, it has been unable to defeat these freedom fighters. But the toll has been exacting on both sides.

Soviet casualties are estimated at 25,000, including 10,000 dead. Over one million Afghans have died, and over five million have been forced to leave their homeland. The war, reportedly, has cost the Soviets between \$15 to \$20 billion, and it has robbed Afghanistan, an already poor nation, of virtually all its economic resources, not to mention its liberty and tranquility.

For the Soviet Union, this war has caused both internal dissent and international condemnation. Even after the enormous investment made by the Soviets in terms of loss of life, money and world opinion, they and their client regime control only Kabul and a few other cities, military bases and main roads. And even these areas are not totally under their control. Some reports indicate that the resistance dominates more than eighty percent of the country side and sometimes filters into the cities at night.

The people of Afghanistan are being denied their right to govern themselves. This fundamental right is contained in Article I of the International Covenant on Civil and Political Rights, which Afghanistan ratified in 1983. They have fought bravely over a sustained period of time for their freedom.

Today, we are indicating our strong and unwavering support of their efforts, and we are asking the international community to join us once again as we denounce the heinous crimes being committed in this war-torn country.

I welcome the opportunity to hear the testimony of our very distinguished witnesses before us today. I hope that they will be able to provide this subcommittee with ideas and suggestions about what more can be done to assist the Afghan freedom fighters.

At this time, I would like to recognize the chairman of the Human Rights Subcommittee, the gentleman from Pennsylvania, Mr. Yatron.

Mr. YATRON [presiding]. Thank you very much, Mr. Chairman.

Mr. Feighan, I want to thank you very much for filling in for me until I was able to get here, and I want to commend you for the outstanding leadership that you have shown in this particular area, as well as other areas, dealing with human rights around the world.

In the interest of saving time, I do have an opening statement, but I will ask unanimous consent to have it included in the record.

[The prepared statement of Mr. Yatron follows:]

#### PREPARED OPENING STATEMENT OF HON. GUS YATRON

As we look at history and document incidents of man's inhumanity to man, it would be difficult to surpass the atrocities the Soviet Union is currently leveling on the people of Afghanistan today. There is hardly a human rights infraction which has not been committed in excess, or an international law which has not been violated repeatedly since the brutal invasion of that country by Soviet forces on December 24, 1979.

The Democratic Republic of Afghanistan is currently led by S.M. Najibullah, the former Soviet-trained director of the Afghanistan secret police. At the hands of this Communist dictator, executions have become routine, as has the practice of torture. Due process is virtually nonexistent and individual freedoms cannot be realized. Arbitrary arrests and imprisonments are the rule rather than the exception.

The Soviets are slowly recognizing the tremendous price they are paying for their outlaw behavior. Despite an overwhelming superiority in arms and manpower, the Soviets have been unable to defeat the freedom fighters. The Soviet Union has lost thousands of soldiers and billions of dollars, in addition to weakening its already waning international image.

But the Afghans have paid dearly as a result of this bloody, brutal repression instigated by the Soviet Union. More than one million Afghans have died since the war began; another five million have fled their country. This poverty stricken nation has been forced to endure nearly a decade of strife, yet the brave Afghan people have shown the world they refuse to be conquered.

Soviet withdrawal from Afghanistan is long overdue. The people of Afghanistan should be permitted to determine their own future in a political settlement which would lead to restoration of a genuinely independent Afghanistan. The time has come for the administration to enlist the aid of our allies in order to persuade the Soviets that a nonaligned Afghanistan will be in the best interest of all parties involved.

**Mr. YATRON.** I want to welcome our witnesses who are here today, and I look forward to hearing their statements. I see our colleague, Congressman Wilson, is there at the witness table ready to get started.

So, you go ahead, and I thank you very much.

**Mr. FEIGHAN** [presiding]. Thank you, Mr. Chairman.

I would like now to recognize one of the most respected members of this subcommittee, and of the Congress, our colleague and ranking minority member, Congressman Jerry Solomon.

**Mr. SOLOMON.** Thank you, Mr. Chairman, very much, and ladies and gentlemen. The conflict in Afghanistan has become the Soviet Union's longest foreign war.

The fact that it continues unabated to this day is testimony both to the courage, and to the perseverance of the people of Afghanistan, and to the tenacity with which the Soviet Union pursues its geo-political goals.

Throughout its history, Afghanistan has frequently been a battle field, but never, never has it been conquered. The Soviets will not conquer it either, but neither will they be pressured or persuaded to leave Afghanistan without having established a controlling influence there.

To this end, the Soviets have waged war by using tactics that can only be described as genocidal. Afghanistan is a scorched and a bleeding land, but still the people resist. Our country stands with them, as they resist this Soviet scourge, this brutal Soviet attempt at colonization and occupation that has left fully one-third of the people of Afghanistan either dead or as exiles and refugees in other countries.

There is no more compelling human rights issue in modern times than the holocaust in Afghanistan. And when Chairman Yatron and I sat down at the beginning of this Congress to discuss the subcommittee's agenda, we decided that the crisis in Afghanistan must be one of the highest priorities of the Human Rights Subcommittee. It will remain a very high priority of this subcommittee, of the full committee, and of the U.S. Congress, and the U.S. Government, until the people of Afghanistan once again enjoy those rights of personal freedom and national self-determination that the Soviets have so brutally taken away.

**Mr. Chairman,** for inclusion in the record, I would like to submit statements by our colleagues, Bill Broomfield, the ranking Republican on the Foreign Affairs Committee, and Bob Lagomarsino, the co-chairman of the Congressional Task Force on Afghanistan.<sup>1</sup>

<sup>1</sup> See appendixes 1 and 2

You know, Mr. Chairman, the Afghanistan people, I think, probably personify what the American people believe in more than anything else, and that is pride and patriotism and freedom and autonomy. I just admire and respect those people so much for what they have done for so long and, again, I just thank the Chairman of this subcommittee for holding this hearing today, which will do something to try to help to alleviate the problem.

Thank you, Mr. Chairman.

Mr. FEIGHAN. Thank you.

We are particularly fortunate to have our colleague from Texas, Congressman Charlie Wilson, as our lead witness today. Congressman Wilson has visited the region on several occasions. He has been to Pakistan as well as to parts of Afghanistan, and he has met with the Mujahidin and others who have been valiantly struggling for democracy in their homeland.

Congressman Wilson, please proceed with your testimony, if you will.

#### STATEMENT OF HON. CHARLES WILSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. WILSON. OK. Thank you, Mr. Chairman.

I really do not have testimony prepared for myself, but I came to more or less introduce the group that will have more important testimony for you.

I would like to compliment the three of you that made statements. In our lifetime, the only thing that can compare with the genocide that is being attempted in Afghanistan by the Soviet Union is, of course, the holocaust in the late thirties and the early forties in Europe.

Many of the aspects of the struggle in Afghanistan have simply not been brought to the attention of the American people, and I compliment this subcommittee for its effort to do so.

I do not think many people really realize that there has been a systematic effort to kill the local doctors in Afghanistan, and through killing the doctors, to try to promote epidemics in villages.

I do not think a great many people realize the extent to which children are being taken from their families in the villages and sent to the Soviet Union to try to make good little Communists out of them and alienate them from their families.

I do not think people realize the great atrocities the Red Army commits in villages. It is a slaughter of pregnant women, of tying weights to old men's feet and dropping them in wells.

We have had many, many graphic examples of these things, and they go on and on and on and on. You wonder how much you should try to do with repetition in pictures and how much you should try to do with other people that have been there and seen it and that, of course, is what we are doing today with these people from a Committee for a Free Afghanistan.

The Committee for a Free Afghanistan has been mobilizing support for the effort and for the people since January of 1980. That was only a month after the Soviet invasion of the country. They have done a great deal to expose to the West the Soviet Union's brutal campaign of terror and aggression. I will say they have done



a great deal more in exposing these atrocities to the West than we have done in paying attention to them.

With the assistance of the Committee for a Free Afghanistan, and my office, and with many of your offices particularly, Congressman Dreier's cooperation, we have met with checkered results in some cases. We have obtained donated hospitalization for those Afghans who are wounded by the war, including fighters, women and children. These people have been wounded by the war to such an extent that they cannot be treated in Pakistan in the Red Cross hospitals, but there is hope for recovery. We have treated a couple of hundred grievously wounded Afghans here in this country and sent them back, all completely on a voluntary basis, completely with the participation of local hospitals, local physicians, local nurses, and it has been an extremely satisfying experience for all of us.

We have had difficulties, naturally. We occasionally have somebody who does not want to go home. We occasionally have somebody who gets here who really cannot get well, but those things have been worked out. The program continues and I would urge the subcommittee members to consider sponsoring a couple of these very heroic and deserving people in their own districts, and I can assure you a great deal of satisfaction.

The most graphic case that we have had that I think you all would be interested in is the case of a little girl who was treated in Texas. The Soviets came into her village, and slaughtered her parents, her nieces, her nephews, and her sisters. She was the only one left and only had one place to hide and that was in the oven out in the yard. Unfortunately, the fire was still under the oven. So, the little girl's feet were terribly burned, and with a great deal of surgery and all, she has had a recovery of sorts and, of course, is now back in Afghanistan.

But that is the kind of slaughter that the people, defenseless people, in the villages have to endure at the hands of the Soviet Union.

Happily today, through the efforts of six distinguished members of the international law field, the Committee for a Free Afghanistan is collecting documentation on Soviet human rights violations. These six men, all of whom have given their own time and taken their own risk, will be presenting testimony today and they have conducted extensive interviews with more than a hundred Afghan survivors of Soviet torture and aggression. Their findings offer significant evidence that the Soviets are grossly violating the Geneva Accords, as well as basic humanitarian laws.

Now, different ones of us wind up on different sides of different emotional issues. Sometimes they are drawn on a political ideological line. I think men of goodwill and of reasonable intellectual capacity can come down on either side in some of the areas of the world in which we are engaged in conflict.

I think arguments can be made with merit with both sides in Nicaragua. However, probably in Angola, they could be made credible for both sides. Probably in Cambodia, they could be made credible for both sides. But I will challenge anybody in the U.S. Congress to make a case for what the Soviet Union is doing and is attempting to do in Afghanistan. Fortunately, as one of the other

members, Mr. Solomon, I believe, has mentioned, the Soviets have encountered probably the most ferocious and dedicated defenders of the faith in the entire world. The Soviets probably made a terrible mistake, but they are trying to rectify the mistake with absolutely unspeakable brutality and cruelty which needs to be brought to the attention of the world, and I am very grateful to this subcommittee for doing it.

It is critical that this information be publicized here in this subcommittee and in Congress. I applaud your efforts. I want to thank Charles Norchi, the Project Director, and his associates for their courage and contribution of their hard work. I do not know him very well. I will know him better after his testimony. I want to introduce Mr. Norchi at this time.

Mr. FEIGHAN. Thank you very much, Congressman Wilson.

Mr. WILSON. I will be glad to answer any questions.

Mr. FEIGHAN. I simply would like to say that we all owe a great deal to you for raising the consciousness of the Congress and of the country about the Afghan people and their incredible sorrows and difficulties.

I know that you have traveled on several occasions to Pakistan. I wonder if you could tell us about the problems that Pakistan has been facing since it has seen millions of Afghan refugees rush over its border seeking some semblance of security.

The Pakistanis clearly have had a great deal of strain on their resources. How strained have those resources become, and how able are they to continue providing even minimal levels of refugee assistance?

Mr. WILSON. Well, Mr. Chairman, I am very pleased that you asked that. The Pakistanis' willingness to share what little they have with their unfortunate neighbors is heart-warming in the greatest degree.

In Pakistan, there has never been a member of the opposition and never been a member of the government who has ever said that Pakistan should do less than it is doing for its Moslem brothers who are under this enormous attack and persecution.

As you say, Pakistan is a poor country, but I believe one thing that has impressed me about both the Pakistanis and the Afghans in this Jihad and in this struggle is that they have nothing or next to nothing, but they will share it.

I do not believe the physical problems with the refugees are enormous, are out of control, because the world community, all of the free countries in the world, except India, have been very sympathetic to the Pakistanis, and we have an enormous effort, that we should be proud of, coming from all countries of the world to treat the refugees.

But when you have three million people, there are more refugees around Peshawar than there are Pakistan citizens in Peshawar, and the Soviet Union has about, in my judgment, given up winning on the battlefield. So, the only thing they can really do now is to try to destroy the credibility of the government and create political tension and create a problem between the Afghan refugees and the Pakistani people.

They are basically doing that by bombing daily. There have been over 250 raids this year, bombing with Soviet bombers coming

across the border and bombing the Afghan camps and killing Pakistanis in the process, and then giving the idea that the Afghans are causing Pakistanis to be killed and the Government of Pakistan cannot protect its people.

You may know that within Afghanistan itself, there has been great success with the Mujahadeen since last September in shooting down Soviet aircraft and helicopters, but in Pakistan, the Soviet aircraft are flying high, they are flying out of range of the hand-held missiles, and they are doing indiscriminate wanton bombing of defenseless civilians in order to create chaos in Pakistan. That has had a significant and dreary effect because it has naturally caused Pakistanis who are otherwise of good will to worry about the safety of their own families.

So, that is the present Soviet primary strategy, is by bombing Pakistan and having car bombs set off in large concentrations of people, to create political discord.

Mr. FEIGHAN. Mr. Solomon.

Mr. SOLOMON. Mr. Chairman, I just want to commend Charlie Wilson for everything he has said here today and concur with everything that you have said. Charlie, our hat is off to you because you have been the point man that has kept this Congress and the American people focused on this terribly, terribly important issue, and we just thank you very much for doing that and for coming before this subcommittee.

Mr. Chairman, I also would like to call attention to the two other members we have on this side, Congresswoman Jan Meyers from Kansas, a respected and valuable member of our subcommittee, and, of course, Dave Dreier from California, who has been very active with me on the POW/MIA issue, as well as on this particular issue.

We thank them both for being here this morning, too.

Thank you, Charlie.

Mr. FEIGHAN. Mr. Chairman.

Mr. YATRON. Thank you, Mr. Chairman.

I, too, want to commend our colleague from Texas for the outstanding work that he has been doing, particularly in this area. There is no one in the Congress or in the country who has given more support to the Afghan Freedom Fighters than Congressman Wilson, and we commend you for it.

He has been a fighter from way back, when he went to Annapolis, and he has been fighting ever since.

I only have one question, Charlie. How helpful has our State Department been in getting treatment for these children you have been talking about?

Mr. WILSON. Enormously helpful, Gus. Enormously helpful.

There are three basic treatments provided to people. One is, of course, the battlefield first aid that has been so terrible up until now, where most of the Mujahadeen have been wounded and bled to death before they could get out. Through great efforts provided by this committee, through AID [Agency for International Development], we are now training young Afghan paramedics, if you will, as battlefield surgeons, really. They train for six months, they go in for six months, they come out for six months, and train again. They are enormously effective in saving a lot of lives, but, of

course, that is an extremely difficult primitive treatment, a great deal of pain is involved, but they are able in many cases to get the wounded out who are then treated by the Red Cross hospitals on the border in Pakistan, which have themselves been targets of some Soviet attacks.

Now, that is the basic program that we have, and that is the way most of the Mujahadeen and their families have been treated from battle wounds and have survived, but the State Department has also been extremely helpful in this program which is made possible by Congressman McCullough's initiatives on what we call the McCullough flights, to bring back this enormous number of previously-wounded people that have been treated in the United States.

So, I would also say to this subcommittee that I wish you could all go there and you could see the myriad of AID humanitarian across-the-border, overt efforts that are being made by the State Department and by AID. The programs include everything from literacy training to—something I call MSU, or the Muleskinners University. We are actually taking in thousands of mules, some American mules, as a matter of fact, and—teaching the Afghans how to treat the animals better. At the present time our biggest problem, is transporting food and the medicine and, of course, the other things across the border. The mules are the answer to that problem.

But the AID, I cannot say enough good things about their program. It is the best I have ever seen.

Mr. YATRON. Thank you very much.

Thank you, Mr. Chairman.

Mr. FEIGHAN. Congressman Dreier.

#### STATEMENT OF HON. DAVID DREIER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. DREIER. Thank you.

Thank you very much, Mr. Chairman.

I appreciate being included. I am not a member of this subcommittee, but this is an issue which is very near and dear to me. I, too, would like to say for the record that while I had over the past several years heard and read a great deal about the atrocities that have been perpetrated in Afghanistan, it was not until I sat down a couple of years ago with our friend and colleague, Charlie Wilson, and began discussing what it is that I could do to play an active role in trying to rectify this that I did begin playing an active role. I would simply like to give a little testimonial at this point about how rewarding it really is for us to do what we can for these very brave patriots who are fighting for the exact same freedom that every single American has, that freedom of expression of their religious beliefs.

I will admit that I have had some problems in bringing some of the injured Mujahadeen into Southern California, but it has been extraordinarily rewarding to get to know some of these people.

I could tell some very amusing anecdotes about some of the culture shock which took place in the hospitals. I will not get into those right now, Mr. Chairman, but I will say that when you look at what these people have gone through and if you look at the

numbers in this country who are willing to sacrifice. There are so many doctors who have voluntarily gone to Pakistan to try and address this issue.

A friend of ours, Dr. Simon, in Southern California has made really a lifelong commitment to this issue, and there are a wide range of other people and within my district, there were several hospitals that sacrificed a great deal. There was a financial drain on one of those hospitals and, yet, they continued to pursue this, and I have to say that for every single one of them, it was very rewarding, and I simply would like to reaffirm what Charlie said, and that is, I encourage as many of my colleagues as possible to get involved in this issue.

We have got the dollars available to bring the injured Mujahadeen into this country, so let us do what we can to expand that spirit of volunteerism towards what I think is an extremely worthwhile cause.

I have a wide range of questions that I look forward to asking the witnesses, and while I consider Charlie the expert in the Congress, there are some other people whom I am looking forward to hearing from, who are even more expert than Charlie, if that is possible.

Thank you, Mr. Chairman.

Mr. FEIGHAN. Thank you, Congressman Dreier.

Mr. WILSON. Mr. Chairman, I would just like to say that certainly we all know that in the entire United States, the medical facilities in Cleveland are probably the most famous, and, so, I would like to ask you to think about it a little bit.

Mr. FEIGHAN. I would be happy to do that. You have been such a strong proponent of the Afghan people that I am sure a wider number of Members of Congress will become even more active in these programs.

Thank you very much, Congressman Wilson.

Mr. WILSON. Now, I would like to introduce Mr. Charles Norchi.

Mr. FEIGHAN. Our private witnesses this morning will offer very provocative and compelling testimony.

We are pleased to welcome Mr. Curt Goering, the Deputy Director of Amnesty International, accompanied by Dr. Barnett Rubin, the Asia Area Coordinator. We are also pleased to welcome, Mr. Charles Norchi, who is the Director of Project on War Crimes in Afghanistan for the Committee for a Free Afghanistan.

I should underscore that Chuck Norchi is from Cleveland, Ohio. He is accompanied by Mark Miggiani, an international lawyer from Malta. Also testifying is Dr. Zia Mahmood, Vice President of the Prayer Faith International.

If the panelists would join us at the witness table at this point, we will begin our testimony with Mr. Norchi, and Mr. Goering will follow.

Mr. Norchi, you may proceed.

**STATEMENT OF CHARLES NORCHI, DIRECTOR, PROJECT ON WAR  
CRIMES IN AFGHANISTAN, COMMITTEE FOR A FREE AFGHANI-  
STAN, ACCOMPANIED BY MARK MIGGIANI, INTERNATIONAL  
LAWYER FROM MALTA**

Mr. NORCHI. Thank you, Mr. Chairman.

Thank you to Congressman Wilson, whose efforts on behalf of international human rights in Afghanistan have been untiring.

Mr. Chairman, members of the subcommittee, I am here this morning with Dr. Mark Miggiani of Malta representing six international specialists who have been investigating allegations of war crimes in Afghanistan. The group is comprised of three Americans and three Europeans. We have operated as an independent investigative body under the sponsorship of the Committee for a Free Afghanistan.

Members of the group conducted two fact-finding missions to the Afghan-Pakistani border, with a third planned for this summer. They are currently assessing extensive data for a full report of our findings of alleged war crimes in Afghanistan. That report will be finalized in September.

This morning, I would like briefly to present an interim report of our initial findings.

Our objective in this project has been specific: to investigate, to document, and to draw legal conclusions as to allegations of violations of the laws of war in Soviet-occupied Afghanistan.

There are obstacles inherent to private inquiries of these sorts and these are especially pronounced in Afghanistan. The Soviet-backed government prevents independent scrutiny by the media and by international human rights groups.

In Afghanistan, the atrocities may have been largely hidden, but the victims were not, as we found during our fact-finding missions. We interviewed more than one hundred Afghan witnesses, some were pre-screened, some were randomly selected. They came from nearly every province and from every political party. Some were elderly, some were women, some were children, some were Mujahadeen, some were refugees. We met with party leaders and, in addition to Afghans, we met with Pakistani government officials, relief workers, diplomats, and journalists.

We spent thirty minutes to an hour with each witness, inviting some back to testify a second time. We subjected individuals to the techniques of direct and cross examination. Our approach was critical and often skeptical. We made judgments as to the credibility of each individual appearing before us. We looked for patterns in stories and we probed for inconsistencies.

As far as possible, we confined ourselves to witnesses who were victims of atrocities, to witnesses of the commission of atrocities, and to witnesses of evidence of atrocities.

Some of the testimony we have discarded if it could not be substantiated or if it were otherwise doubtful.

Mr. Chairman, our initial conclusions present a strong *prima facie* case against the Democratic Republic of Afghanistan [DRA] and against the Soviet Union. Accordingly, the burden of proof necessary to overcome this presumption shifts to those states. We have requested the Kabul Government to permit us to visit Afghanistan,

and we await its decision to open its borders to allow the international media and groups such as ours the opportunity to fully examine these allegations.

In the absence of such a step, reasonable and prudent people worldwide will find it hard not to conclude that the DRA and the USSR have something to conceal in Afghanistan.

The standards we have adopted throughout our investigation are drawn from the rules embodied in the laws of war. These rules, in fact, are nothing but an attempt to impose a minimum of humanity upon the rigor and the brutality of war. Many of these rules now form part of customary international law and are codified in the important humanitarian inventions known as the Geneva Conventions.

Fundamental to the laws of war is a principle that military activity should only be directed against combatants and that the only legitimate object which states should try to accomplish in the conduct of war is to weaken the military forces of the enemy.

It has also long been accepted that not all means of injuring the enemy are permissible, and that a distinction must be drawn at all times between persons taking part in hostilities and members of the civilian population to the effect that the latter must be protected as far as possible.

Consequently, though the object of war may be to disable the greatest number of combatants, humanitarian law principles dictate that the use of arms which cause unnecessary suffering and render death is illegal.

Mr. Chairman, I would like briefly to outline three of the many allegations that we have been investigating and point to our preliminary conclusions as to each.

Allegation Number 1. Afghans are being tortured. It has been alleged that Afghans captured by the Khad are routinely tortured, particularly at Khad bases. These incidents are particularly well documented by Amnesty International whose representatives are here this morning.

Soviet advisors are allegedly often present, either in the same room or in an adjacent room. There have been reports of Soviets torturing Afghans.

We received testimony, Mr. Chairman, from more than forty alleged torture victims. Witnesses appearing before us had lost teeth, they had suffered broken ribs, broken knuckles and broken noses. One man's hands were crushed under a table leg. Many have been forced to stand for long periods in cold water. They experience sleep and food deprivation. Some are subjected to electric shock treatment with wires attached to the tongue, to the toe, to the testicles, and to the penis. One man had hot water poured into his ears, he was forced to consume a large quantity of liquid, his urinary tract was tied off, and he was beaten on the stomach.

These incidents are a clear violation of the Geneva Conventions and of the International Covenant on Civil and Political Rights, which both Afghanistan and the Soviet Union have ratified.

Allegation Number 2. Afghan civilians are intentionally targeted. It has been alleged that civilians have been both the victims of indiscriminate attacks and have been purposely targeted by DRA and Soviet forces.

Women and children, who are entitled to special protection under humanitarian law, have allegedly been the object of attack as have refugee columns escaping Afghanistan. It has been claimed that attacks have been launched against particular targets, making it difficult to distinguish between military and civilian objectives, that weapons have been used which are indiscriminate by nature and that weapons have been used in an indiscriminate fashion.

We heard testimony from witnesses that attacks were launched against villages in which there were no Mujahadeen. Mr. Chairman, members of the subcommittee, the law prohibiting the targeting of the civilian population is very clear. The targeting of civilians is unlawful. The targeting of refugees is unlawful.

In view of the number of such instances reported to our group, it must be concluded that these are not occasional excesses and that they suggest either a deliberate policy or a lack of control by Soviet and Afghan officers for which the Soviet Union and Afghanistan must accept legal responsibility.

On the basis of the testimony supplied by civilians, Mujahadeen fighters and military leaders, a clear pattern of a continuous violation of a very important principle of the laws of war is presented. A fundamental rule of law of war is based on a principle of distinction. In other words, that a distinction must be made at all times with the combatants and members of the civilian population.

Persons not taking an active role in hostilities are to be protected. The random manner in which mines have been dropped by planes, helicopters, or fired by the artillery over villages, schools, mosques, and cultivated lands demonstrates a total disregard of the civilian combatant distinction. Worse, repeated testimony of anti-personnel mines in the form of pens, butterflies, small radios, key chains, shiny boxes, tape recorders, cigarette boxes, horseshoes, all indicate a deliberate targeting of children, women and civilians.

Eyewitnesses related to us incidents of booby-trapped doors, of poisoned food supplies, and of explosives attached to corpses, all such incidents bearing evidence of a total disregard of basic humanitarian principles.

Allegation Number 3. Genocide is occurring in Afghanistan. Allegations of genocide practiced by the DRA and the Soviet forces have been launched frequently. Genocide has both a customary and a treaty international law dimension.

The treaty dimension is to be found in the Convention on Prevention and Punishment of the Crime of Genocide, a multi-lateral treaty to which Afghanistan and the USSR are parties and which entered into force January 12, 1951.

The allegation of genocide is a particularly serious and a delicate matter. Our group is currently evaluating the legal implications of all the specific attacks we have examined upon the Afghan people and their way of life. These attacks could very well singly or collectively be indicative of genocidal patterns or may substantiate the claim of genocide.

We will reach our conclusions as to the allegation of genocide in our full and final report to be presented in hearings this September. However, speaking for myself and certain other members of our group, I am disturbed at the evidence that is developing.



Over the coming months, we will be examining as a group additional data and continuing to consult with other legal experts in the United States and abroad. Our investigation into war crimes in Afghanistan will continue through September. At that time, we will present conclusive findings regarding these and a broad array of allegations which have been lodged during the eight year history of this tragic conflict.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Norchi follows:]

PREPARED STATEMENT OF CHARLES H. NORCHI, DIRECTOR, PROJECT ON WAR CRIMES IN AFGHANISTAN

Mr. Chairman, I am here this morning with Dr. Mark Miggiani of Malta representing six international law specialists who have been investigating allegations of war crimes in Afghanistan. The group is comprised of three Americans and three Europeans. The other members are James J. Busuttill of the Porter and Travers law firm in New York; Francoise Hampson, Professor of Law at Essex University in the United Kingdom; Goran Melander, Professor of Law at Lund University in Sweden; and W. Michael Reisman, Professor of Law at Yale University Law School. We were convened and have operated as an independent investigative body under the sponsorship of the Committee For a Free Afghanistan. Members of the group conducted two fact finding missions to the Afghan-Pakistani border, with a third planned for this summer. We are currently assessing extensive data for a full report of our findings of alleged war crimes in Afghanistan. The report will be finalized in September. This morning I would like briefly to present an interim report of our initial findings.

#### Methodology

Our objective in this project is specific: to investigate, document, and draw legal conclusions as to allegations of violations of laws of war in Soviet occupied Afghanistan. There are obstacles inherent in private inquiries of this sort. And these are especially pronounced

in Afghanistan. The Soviet-backed government prevents independent scrutiny by the media and international human rights groups of allegations of events incompatible with basic human rights norms as expressed in the fundamental human rights instruments of international law. In Afghanistan, the atrocities may have been largely hidden, the victims are not, as we found during our fact-finding missions.

We interviewed more than 100 Afghan Witnesses. Some were pre-screened. Some were randomly selected. They came from nearly every province, and from every political party. Some were elderly, some were children. Some were Mujahadeen commanders, some were refugees. We spoke with men and women. We met with party leaders. In addition to Afghans, we met with Pakistani government officials, international civil servants, relief workers, diplomats and journalists. We spent thirty minutes to an hour with each witness, inviting some back to testify a second time. We frequently worked in two groups of three, subjecting individuals to the techniques of direct and cross examination. On occasion, we broke into even smaller groups to exploit maximally our time and resources. Our approach was critical, and often skeptical. We made judgments as to the credibility of each individual appearing before us. We looked for patterns in stories. We probed for inconsistencies. As far as possible we sought to confine ourselves to witnesses who were victims of atrocities, to witnesses of the commission of atrocities,

and to witnesses of evidence of atrocities. Some of the testimony was discarded if we felt it unsubstantiated or otherwise doubtful.

Our initial conclusions present a strong *prima facie* case against the Democratic Republic of Afghanistan and the Soviet Union. Accordingly, the burden of proof necessary to overcome this presumption shifts to those states. We have requested the Kabul government to permit us to visit Afghanistan. We await its decision to open its borders to allow the international media and groups such as ours, the opportunity to fully examine these serious allegations. In the absence of such a step, reasonable and prudent people world-wide, will find it hard not to conclude that the DRA and the USSR have something to conceal.

#### Evaluative Criteria

The standards we used throughout our inquiries are drawn from the international law of war. That law has evolved over several centuries from a variety of sources. Its contemporary manifestation is found in a network of international conventions, or treaties, and in customary international law. In a strict sense, treaties bind only those states which have become party to them. However, many treaties on the law of war are accepted as codifications or declarations of custom and bind even those states that have not become party to them. All the most basic norms of the international law of war are also used in custom and in

formal convention.

The basic animating principle of the international law of war is that military force may be directed only against military forces; that the only legitimate object of the exercise of military force is to use that amount sufficient to disable the greatest possible number of combatants; that the object is exceeded by the employment of arms which uselessly aggravate the sufferings of disabled combatants, or render their death inevitable; that the employment of such arms is contrary to the laws of humanity; that uses of force must therefore be occasioned by military necessity, be proportional to that necessity and be sufficiently discriminating so as to distinguish between combatants and non-combatants. (It must be emphasized that the accommodation of necessity does not mean that anything that is militarily useful or serves some military purpose is automatically lawful.)

The most widely accepted conventional codification of the law of armed conflict is found in the four conventions concluded at Geneva in 1949. These concern respectively, the amelioration of the condition of the wounded and sick in armed forces in the field; the amelioration of the condition of the wounded, sick and shipwrecked members of armed forces at sea; the treatment of prisoners of war; and the protection of civilian persons in time of war. The Soviet Union and China, as well as over 150 other states, are parties to these conventions. It was the consensus of our

group that these instruments should provide the basic evaluative criteria for the allegations we reviewed because of their wide acceptance.

One set of provisions, Article III, is common to all four of the Geneva Conventions. It requires all parties to a conflict to apply as a minimum, the following rules:

(I) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed "hors de combat" by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(II) The wounded and sick shall be collected and cared for.

An [impartial humanitarian body], such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

Our work was facilitated by adopting this narrow normative frame work. This approach has allowed our group and other commentators to concentrate on the factual material relevant to the actual allegations. Additional conventions, such as the Genocide Convention and other instruments codifying international law, are considered in our discussion of the specific factual allegations that have been lodged.

### **Allegations**

I would like to outline three broad allegations and our preliminary conclusions as to each.

#### **Allegation #1: AFGHANS ARE BEING TORTURED.**

It has been alleged that Afghans captured by the Khad (Khedamat-e-Etala' at-e Dawlati-state information services) are routinely tortured, particularly at Khad bases in Kabul. (These incidents have been particularly well documented by Amnesty International whose representatives are here this morning.) Soviet advisers are allegedly often present, either in the same room or in an adjacent room. There have been reports of Soviets torturing Afghans. The conditions in Pul-i-Charkhi prison are claimed to be both inhuman and degrading.

We received testimony from more than forty alleged torture victims. Most had been taken from their

homes. In most cases Khad agents sought a specific individual, though some were arrested as part of a general round-up. The alleged torture was sometimes accompanied by interrogation, and in some cases occurred between periods of questioning. The interrogation usually focused on the victim's alleged links with the Mujahadeen, and his knowledge of foreign involvement in the conflict.

A common pattern emerged from the testimonies. This consisted of beating (with cables or sticks) and kicking. Witnesses had lost teeth, and had suffered broken ribs, knuckles and noses. One person's hands were crushed under a table leg. Many witnesses had been forced to stand for long periods of time in cold water. They experienced sleep and food deprivation. Some were subjected to electric shock treatment with wires attached to the tongue, toes, testicles, or penis. One man had hot water poured into his ears. He was forced to consume a large quantity of liquid. His urinary tract was tied off and he was beaten on the stomach. (What we learned confirms the patterns of torture reported by Amnesty International in November 1986 "Afghanistan: Torture of Political Prisoners.") One striking feature is that torture reportedly continues for months, or even years, until officials determine that the victim cannot, or will not produce the sought information.

These incidents are a clear violation of the Geneva Conventions, of the International Covenant on Civil and Political Rights, which both Afghanistan and the Soviet

Union have ratified. Article 7 of that instrument provides "... no one shall be subjected to torture or to cruel, inhuman or degrading punishment." Article 4 (2) precludes any derogation from Article 7, including in time of war. It should also be noted that torture is prohibited under Article 38 of the Fundamental Principles of the Provisional Constitution of Afghanistan, is punishable under Article 275 of the Afghan Penal Code, and is contrary to Article 3 of the law on the Implementation of Sentences in Prisons (1982).

**Allegation #2: AFGHAN CIVILIANS ARE INTENTIONALLY TARGETED.**

It has been alleged that civilians have been both the victims of indiscriminate attacks and purposefully targeted. In some instances, it has been claimed that the latter has been by way of reprisal. Women and children, entitled to special protection under humanitarian law, have allegedly been the object of attack, as have refugee columns. It has been claimed that attacks have been launched against targets, (e.g. villages) which make it impossible to distinguish between military and civilian objectives, that weapons have been used which are indiscriminate by nature, or have been used in an indiscriminate fashion.

The group heard testimony from witnesses that attacks were launched against villages in which there were no Mujahadeen and from which no Mujahadeen had been



launched. The law prohibiting the targeting of the civilian population is clear. The targeting of civilians is unlawful. The targeting of refugees is unlawful. In view of the number of such instances reported to our group, it must be concluded that these are not occasional excesses. They suggest, either a deliberate policy, or a lack of control by Soviet and Afghan officers or men under their command, and for which the Soviet Union and Afghanistan must accept legal responsibility.

A general pattern of attack is aerial bombardment, followed by ground attacks of usually mixed Democratic Republic of Afghanistan (DRA) and Soviet forces. It is well known that in Afghanistan, the vast majority of Mujahadeen are men between the ages of 16 and 60. Old men, children and women do not participate in the war, except to provide medical and moral support. Ground attacks on villages whose inhabitants are only such innocent civilians are therefore prohibited under international law. Nonetheless, we heard many reports of such illegal attacks, and massacres of village elders by Soviet troops.

A fundamental rule of the international law of war is the principle of the protection of persons not taking an active role in hostilities. Combatants are obliged to distinguish between civilians and other combatants. Common Article III of the 1949 Geneva Conventions requires that "persons taking no part in the hostilities...shall in

all circumstances be treated humanely...". On the basis of the evidence received by our group, it is difficult not to conclude these principles have been repeatedly violated.

In addition to being purposely targeted, civilians have also been the victims of indiscriminate attacks. It has been claimed that attacks have been launched against targets (e.g., villages) which make it impossible to distinguish between military and civilian objectives. Also weapons have been used which are either indiscriminate by nature, or have been used in an indiscriminate fashion. Among the evidence of the indiscriminate use of weapons, most prominent was the use of booby traps, anti-personal mines, notably "butterfly mines". Colored green or brown as camouflage, and dropped randomly in considerable quantities from the air, these have been responsible for innumerable injuries to civilians, particularly children.

The evidence received by our group confirms the conclusions in the Report of the Special Rapporteur of the Commission on Human Rights (A/41/778), who reported that "...the action taken against the opposition movements and civilian population has been intensified since last year...the bombardment of villages, attacks on convoys of civilians heading towards Pakistan in search of refuge and regular house searches, make it impossible for the civilian population to lead a normal life." ( Paragraph 37). In the ... this document, at paragraph 28, the Special ... lists typical examples of indiscriminate attacks

resulting in high civilian casualties. Our group received evidence that such attacks have continued during and after a six month unilateral cease fire war announced in January, 1987.

**ALLEGATION #3: GENOCIDE IS OCCURRING IN AFGHANISTAN.**

Allegations of Genocide practiced by DRA and Soviet forces have been lodged frequently. Genocide has both a customary and treaty dimension. The treaty dimension is to be found in the Convention on the Prevention and Punishment of the Crime of Genocide, a Multilateral Treaty, to which Afghanistan and the USSR are parties. Article II of the Convention defines genocide to mean:

Any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

It must be noted that Article II does not require the acts in question actually achieve the elimination, in whole or in part, of a national, ethnical, racial or religious group. Acts intended to eliminate physically all or part of the membership of a group, are crimes of genocide.

(Subparagraphs a, c, and d.) The crime of genocide is also

accomplished by the forcible transformation of the indigenous identity of the group. Thus, the destruction of a targeted group within the meaning of the Convention refers either to the intended physical elimination of its members, or the coercive transformation of the identity of group members. Each set of acts is genocidal.

Four distinct allegations of genocide in Afghanistan have been lodged: depopulation; attack on religion; forced removal of children; strategic attacks on society. I will treat each *seriatim*.

#### 1. DEPOPULATION

There has been substantial depopulation of large areas of Afghanistan. These actions have been persistently committed over an eight year period, with the cumulative result that one-third of the Afghan population has been forced to flee the country. On the basis of our inquiries, the flight of a substantial part of the more than five million Afghans who have left their country since 1979 is clearly attributable to actions taken by the DRA and the USSR.

#### 2. ATTACKS ON RELIGION

Religion is profoundly important to the Afghan people. It is a basic factor which establishes their identity and binds them socially and culturally. Religious views are frequently targeted as the Soviets attempt to suppress them.

with Marxist-Leninism. Torture techniques include the taunting of victims about their religion. We gathered considerable evidence of the targeting of Mosques, schools, and the intentional desecration of Mosques.

### 3. FORCED REMOVAL OF CHILDREN

The Soviet Government has acknowledged that Afghan children are being sent to the USSR for education. We collected evidence indicating a coordinated policy of forcibly transferring children from Afghanistan to the Soviet Union. The objective appears to be to deculturate the transferred children from the values of their parents and environing group, and to forcibly inculcate in them the values of the Soviet Union.

### 4. STRATEGIC ATTACKS ON SOCIETY

Cumulative evidence indicates the DRA and the Soviet Union are pursuing a complex and pre-meditated attack on a traditional society and its values. That attack appears to be pressed at every level of social organization: the village and its agricultural infrastructure, the religion, education, children, health, and life itself. These actions appear directed at the creation of a politically and societally malleable Afghanistan.

Because Article II (c) of the Genocide Convention defines genocide to include acts "deliberately inflicting on the group, conditions of life calculated to bring about its

physical destruction in whole or in part", these policies and programs appear to fall within the ambit of this provision.

The repetition of the aforementioned acts and their consistency, make it difficult to avoid the conclusion that they are part of a master plan. The implementation of that plan appears to be intended to, and is in fact, precipitating consequences inconsistent with obligations undertaken in the Genocide Convention.

#### FINAL REPORT

We will reach our conclusions as to allegations of genocide in our full and final report. However, we are very disturbed at the evidence that is developing. Over the coming months we will be examining additional data and continuing to consult with other legal experts in the United States and abroad.

Our investigation into war crimes in Afghanistan will continue through September. At that time, we will present conclusive findings regarding a broad array of allegations which have been lodged during the eight year history of this tragic conflict.

**Mr. FEIGHAN.** Thank you very much, Mr. Norchi, for your statement. We look forward to hearing your final report.

Our next witness is Mr. Goering, whom we welcome back before this subcommittee. Please go ahead and proceed with your statement.

**STATEMENT OF CURT GOERING, DEPUTY DIRECTOR, AMNESTY INTERNATIONAL, USA, ACCOMPANIED BY BARNETT R. RUBIN, ASIA AREA COORDINATOR**

**Mr. GOERING.** Thank you very much, Mr. Chairman.

We welcome this opportunity to testify before the subcommittee on Amnesty International's concerns in the Democratic Republic of Afghanistan.

As we documented in our recent 51 page report—

**Mr. FEIGHAN.** Excuse me. Can you switch microphones so that we can hear you or pull them a little closer together, please? Thank you.

**Mr. GOERING.** We welcome this opportunity to testify before the subcommittee on Amnesty International's concerns in the Democratic Republic of Afghanistan.

As we documented in our recent fifty-one page report, entitled, "Afghanistan: Torture of Political Prisoners," torture is inflicted systematically on the several thousand political prisoners in Afghanistan. It routinely occurs during interrogation by Khad, the state information service, or its successor, Wad, the Ministry of National Security.

Since many prisoners report the presence in the interrogation centers of Soviet advisors, who are sometimes present during torture, we have addressed our concerns to the Soviet leadership, as well as to the government in Kabul.

Torture is not our only concern in Afghanistan. Amnesty has continued to receive reports of extra judicial executions by Soviet troops, supported by Afghan military personnel. Of the over 10,000 mainly political prisoners, we believe to be in Pul-e Charkhi Prison, many are held without charge or trial, and others have had political trials that did not conform to the international standards.

Some of these prisoners are prisoners of conscience, who have not advocated or used violence, such as a number of professors from Kabul University. The government frequently imposes a death penalty, which Amnesty International opposes unconditionally, but which is particularly disturbing when imposed without adequate judicial safeguards.

Amnesty has also received reports of maltreatment, torture and execution of prisoners held by some of the opposition groups fighting against the Soviet and Afghan government forces.

Amnesty International has a defined mandate which we apply as impartially as we can to all countries. Many of the reports of violations of international humanitarian law in Afghanistan concern questions beyond our mandate. In particular, those related to the laws of war.

For example, the special rapporteur on Afghanistan appointed by the United Nations Human Rights Commission has stated that, "The Government, with heavy support from foreign troops, acts

with great severity against opponents or suspected opponents of the regime without any respect for human rights allegations."

He referred to killings of civilians as a result of acts of brutality committed by armed forces, bombardment and massacre as reprisals, and use of anti-personnel mines and booby trapped toys. The Afghan Government denied these charges.

If Amnesty International does not discuss them, it is because our mandate does not extend to killing by indiscriminate bombing and anti-personnel mines. It is not because we do not consider them important; they are extremely important.

An important source of Amnesty International's effectiveness is the reliability of our information. The highly restrictive policies imposed by the Afghan Government has made collection and verification of human rights information difficult.

Recent events indicate a change in the government's policies, however. Earlier this month, for example, some American and British journalists were permitted to travel in Afghanistan, with some restrictions. In addition, in March of this year, the International Red Cross was allowed access to certain parts of the country for the first time since 1982.

Finally, Amnesty International addresses itself to governments because governments have the responsibility under international agreements to uphold human rights. Amnesty addresses whatever government is in power and does not pass judgment on government structures or on their credentials.

Mr. Chairman, in the prepared statement, we have supplied details about our concerns in Afghanistan: executions, torture, political prisoners, trial procedures, and we would ask that the full statement be included in the record.

Mr. YATRON [presiding]. Without objection, it will be included in the record.

Mr. GOERING. In the prepared statement, we also make a number of recommendations to the authorities in Afghanistan which I will not go into here; but they are in the last part of the testimony.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Goering follows:]



PREPARED STATEMENT OF CURT GOERING, DEPUTY DIRECTOR, AMNESTY  
INTERNATIONAL, USA

Introduction

We welcome this opportunity to testify before the Subcommittee on Amnesty International's concerns in the Democratic Republic of Afghanistan. As we documented in our 51-page report, Afghanistan: Torture of Political Prisoners, torture is inflicted systematically on the several thousand political prisoners in Afghanistan. It routinely occurs during interrogation by KHAD, the State Information Service, or its successor, WAD, the Ministry of National Security. Since many prisoners report the presence in the interrogation centers of Soviet advisors, who are sometimes present during torture, we have addressed our concerns to the Soviet leadership, as well as to the government in Kabul.

Torture is not our only concern in Afghanistan. Amnesty International has continued to receive reports of extra judicial executions by Soviet troops supported by Afghan military personnel. Of the over 10,000 mainly

IKHAD is an acronym for Khedamat-e Etela'at-e Dawlati, Persian for State Information Services. It was founded in January 1980 with Soviet assistance after the coup involving Soviet military forces that brought Babrak Karmal to power. Its leader from then until January 1986 was Dr. Najibullah, usually known as Najib, who is now the General Secretary of the People's Democratic Party of Afghanistan (PDPA), the ruling party. In January 1986 KHAD became the Ministry of State Security, in Persian Wazarat-e Amani'at-e Dawlati, abbreviated as WAD, under the leadership of Maj.-Gen. Ya'aqubi. We follow general usage in referring to both KHAD and its successor, WAD, as KHAD.

political prisoners we believe to be in Pul-e Charkhi Prison, many are held without charge or trial, and others have had political trials that did not conform to international standards. Some of these prisoners are prisoners of conscience who have not advocated or used violence, such as a number of professors from Kabul University.

The government frequently imposes the death penalty, which Amnesty International opposes unconditionally, but which is particularly disturbing when imposed without adequate judicial safeguards.

Amnesty International has also received reports of maltreatment, torture, and execution of prisoners held by some of the opposition groups fighting against the Soviet and Afghan government forces.

#### Special Considerations Regarding Amnesty International's Human Rights Monitoring in Afghanistan

Amnesty International has a defined mandate which we apply as impartially as we can to all countries. Many of the reports of violations of international humanitarian law in Afghanistan concern questions beyond our mandate, in particular those related to the laws of war. For example, the Special Rapporteur on Afghanistan appointed by the United Nations Human Rights Commission has stated that "the government, with heavy support from foreign troops, acts with great severity against opponents of suspected opponents of

the regime without any respect for human rights obligations." He referred to killings of civilians as a result of "acts of brutality committed by armed forces," "bombardment and massacre as reprisals," and "use of anti-personnel mines and booby-trap toys." The Afghan government denied these charges. If Amnesty International does not discuss them, it is because our mandate does not extend to killing by indiscriminate bombing and anti-personnel mines. It is not because we do not consider them important.

In monitoring and publishing the human rights conditions around the world, Amnesty International acts only upon specific information confirmed from multiple sources. The reliability of our information and the consistency with which we apply such standards is an important part of the movement's effectiveness. In Afghanistan the armed conflict, the government's highly restrictive access to the country by outsiders, including journalists, as well as strict government control of the press, have all made the collection and verification of information relating to human rights difficult. Since the announcement of the National Reconciliation Program, which I will discuss below, the government has allowed international observers into Afghanistan. Earlier this month, American and British journalists were permitted to travel in Afghanistan albeit with some restrictions. In addition, in March of this year, the International Red Cross was allowed to visit the country.

Finally, Amnesty International addresses itself to governments, because governments have the responsibility under international agreements to uphold human rights. Amnesty addresses whatever government is in power and does not pass judgment on government structures or on their credentials.

### Details of Amnesty International's Concerns

#### Extrajudicial Executions

Through the end of 1986 Amnesty International continued to receive reports of extrajudicial executions in a number of provinces by Soviet troops supported by Afghan military personnel. Some of the reported victims were armed opponents of the government who had been detained, but many others were apparently suspected only of sympathizing with armed opposition groups, or allegedly killed in reprisal for attacks on government forces or to intimidate the local population. It is difficult for Amnesty International to verify each of these reports in detail. Examples of more detailed incidents are the following:

-- In 1982 Amnesty International learned of the killings of over 100 unarmed civilians in the village of Kasham Kala, Logar Province, in August. Subsequently, Amnesty received

detailed descriptions of the killing by Soviet forces in September of 105 civilians who had hidden in an underground irrigation tunnel (karez) in the village of Padkhwab-e Shana, also in Logar Province. In the latter case published reports of many eyewitnesses, collected by a team of European investigators, stated that Soviet soldiers poured explosive material into the tunnel and set it afire.

-- On June 30, 1983, according to reliable reports, Soviet forces killed 23 unarmed civilians in the town of Rauza, on the outskirts of Ghazni. According to the reports, the victims were seized and killed, apparently in reprisal, after two Soviet soldiers were shot by a guerrilla they found hiding in a well.

-- In 1984 Amnesty received reports from several sources that in August Soviet forces killed scores of civilians in Bela and surrounding hamlets of Ningrahar Province. A series of reports also alleged that a large number (over 600, according to most reports) of reprisal killings had occurred in December 1984 in Chardara district of Kunduz province: one report listed 25 households in one village from which many family members were killed.

-- In April 1985 Soviet troops operating from Jalalabad were widely reported to have killed hundreds of civilians in at least 10 villages in Laghman Province: Amnesty

International received accounts from separate groups of newly departed refugees about killings in Qarghai and Haidar Khani.

-- In March 1986 a total of 30 unarmed civilians were reported to have been killed by Soviet and Afghan military personnel in a military operation in the villages of Bamba Roat, Sairun Qala and Omar Qala in the vicinity of Darra-e Noor valley in the Kuz Kunar District of Nangarhar Province. The killings were reported to have been in reprisal following earlier fighting between government forces and an armed opposition group in the nearby village of Rhomargosh in which a Soviet military officer and some Afghan soldiers were reportedly killed.

-- On 26 March, 1986, in a similar operation in the village of Suten, again in Darra-e Noor, a total of 66 people, among them children, were reportedly killed in reprisal. Amnesty International received other reports of alleged reprisal killings of civilians by Soviet and Afghan military personnel. On 16 August, 42 men, women and children were alleged to have been killed in a military operation in Nagiabad in the Injil district south of Herat. Civilians were also reported to have been killed in Wardak, in Takhar and in Kandahar in three other similar incidents throughout the year.

-- Amnesty International also received reports of the killing by Soviet forces of several hundred people in five

villages of Imam Saheb District of Kunduz Province in November of that year, apparently in reprisal for the destruction of two Soviet helicopters by guerrillas.

While these reports cannot be verified in detail, we should also note that the above is by no means an exhaustive list of such events.

Amnesty International was also concerned about reports that opposition groups had carried out executions of Soviet and Afghan soldiers, KHAD agents, and other government officials and supporters. As a matter of principle, Amnesty International condemns the torture and execution of prisoners by anyone.

#### Prisoners of Conscience and Other Political Prisoners

Amnesty International believes that until very recently there has been, at any one time, well in excess of 10,000 prisoners in the main prison in Pul-e Charkhi, near Kabul, and that not more than 1000 of these are ordinary criminal prisoners. Recently however the government announced it had released 5000 political prisoners, 1200 of them from Pul-e Charkhi prison. In addition, there are prisoners in other cities and towns. Amnesty International has names of only a few of these prisoners and, in many cases, when we do have

the names, their relatives or associates have requested that we not reveal them. We cannot estimate how many of the political prisoners are prisoners of conscience who have not used or advocated violence; Amnesty has worked for five years for the release of four such prisoners, Kabul University professors Hasan Kakar, Habib-ur-Rahman Hallah, Osman Rostar, and Shukrullah Kohgaday. These teachers and scholars were arrested in March 1982 for membership in a discussion group seeking peaceful solutions to the armed conflict. In March of this year Amnesty International received information that Professor Kakar had been released and is living at home in Kabul. Amnesty International has repeatedly asked for confirmation but has received no response from the government.

A wide range of circumstances have led to arrest since the installation of the present government. The earliest waves of arrests accompanied demonstrations by students, including many young women in February, March, and April of 1980. Such demonstrations are reported to have been largely peaceful until force was used to suppress them.

Others arrested have been people who acknowledge their direct involvement in violent opposition to the government. Many more have been suspected of membership in or contact with the parties involved in armed opposition. In some cases



such suspicions appear to have been founded on the activities of relatives.

The discovery of what are taken to be written indications of opposition to the government appears to have led to other arrests. Some former prisoners had been found in possession of shabnamah, or clandestine leaflets. A former UN agency employee, who was himself detained, attributed the arrest and torture of his son in late 1981 to the discovery of some notes in a book on Marxism found during a search of his house: "it was some comments I had made in the book comparing the freedoms of Afghanistan and the Soviet Union."

Others were arrested because they were thought to be trying to cross the border into Pakistan, and thus perhaps to have contact with armed opposition groups there. Others have been arrested after travelling to India, Iran, or parts of Afghanistan controlled by the influence of the opposition. Many of those interviewed by Amnesty International were eventually released without ever having been formally charged or sentenced.

#### Torture

Amnesty International has not interviewed any former prisoner of the present Afghan government or received an

account of an interview with any such prisoner who does not claim to have been at least ill-treated during interrogation. The overwhelming majority of interviewees were tortured. Most reports of torture relate to people held in the custody of KHAD, although torture has also been reported from other intelligence agencies and military establishments.

There are central and local KHAD interrogation centers in Kabul and one or more KHAD centers in provincial cities. Amnesty International has published detailed lists of interrogation centers in Kabul and has received reports of torture occurring at KHAD centers in the provincial cities in Andkhov, Bamian, Ghazni, Herat, Jalalabad, Kandahar, Lashkargah, and Pol-e Khomri and in the prisons of Kunduz and Mazar-e Sharif. Torture is a part of interrogation in Afghanistan and generally ceases once the authorities consider the investigation finished.

From the testimonies of many former detainees Amnesty International has been able to identify a consistent pattern of the types of torture and other ill-treatment inflicted on prisoners as well as of their conditions of detention.

Beatings with many kinds of instruments routinely take place during the early stages of interrogation soon after arrest and frequently continue throughout the time detainees are held in KHAD custody. Many prisoners reported that they

were deprived of sleep, required to stand for prolonged periods, or forced to do exercises to the point of collapse. In some cases such treatment was exacerbated by prisoners being exposed to the sun or forced to stand in water or snow.

Some prisoners reported being only threatened with electric shock torture, but many others reported being subjected to it, apparently quite routinely at an early stage as well as later stages of interrogation. The most common electric shock torture device is referred to as the "telephone": a small machine that looks like an old-fashioned telephone with wires that are attached to the victims body and a handle which is turned or pulled to apply the current. Other prisoners simply referred to a small box with wires coming out of it. Some prisoners reported receiving electric shocks administered with sticks or batons, and others referred to the use of an electric chair.

Women prisoners reported being directly subjected to physical torture, but there are also consistent accounts from women of being forced to witness the torture of male prisoners and, in three separate cases, of being incarcerated in the presence of a dead body. Many other forms of serious physical abuse have also been reported; details, including verbatim testimonies, are available in our reports. Several prisoners gave the names of fellow detainees they said had died as a result of torture.

The KHAD is reported to have Soviet advisors at its main offices, and many of the testimonies available to Amnesty International refer to the presence of Soviet personnel when prisoners are being interrogated under torture. In many of these cases, prisoners state that Soviet personnel are present during torture and participate in or direct interrogation while the physical application of torture is left to Afghans. In a few cases, allegations extend to some actual participation by Soviet personnel in the physical application of torture. Allegations that Soviet personnel are present during torture and give orders for it to be inflicted have been made not only regarding those present in KHAD centers but also regarding military personnel in the field.

### Trials

Most detainees remain in KHAD custody throughout interrogation, which may last for months. During this period, they are not brought before a judge, have no access to a lawyer and are not able to challenge the lawfulness of their arrest and detention. When the KHAD has reached a conclusion regarding their case, they may either be released, sometimes after having been required to sign a statement, or transferred to prison.

Of those transferred to prison, some remain detained without formal charge or trial until their eventual release. Others undergo a form of trial before a special revolutionary court, accounts of which are consistent in indicating the brevity of the proceedings.

No accounts suggest that prisoners tried by special revolutionary courts have had access to defense counsel or that either defense or prosecution witnesses are present. According to the testimony of a former member of the Supreme Judicial Council, Mohammad Yusuf Azim, who has been interviewed by Amnesty International, no defense counsel appears in cases before special revolutionary courts, nor are witnesses called. Members of special revolutionary courts are PDPA members and in some cases recruited from the KHAD itself; most do not have a legal or judicial background. Hearings are not public and relatives are unaware that trials are taking place, although a few trials are filmed for television.

Kabul radio and the government press report a number of trials. The defendants are almost always people said to be members of particular armed opposition groups who are sentenced to death or to very long terms of imprisonment. In almost all those reported cases, the accused are stated to have confessed. In no case is there reference to the participation of defense counsel. The value apparently

placed on confessions could constitute an inducement to torture, and Amnesty International is aware of no case in which a confession has been rejected as having been extracted by such means.

#### Conditions of Detention

Conditions of detention are extremely harsh. These conditions appear to be deliberately created in some respects, especially during the period of interrogation; they also occur as a result of acute overcrowding and other inadequacies in longer term prison conditions.

In Sedarat, the KHAD central interrogation office in Kabul, detainees are often initially held in solitary confinement, and subsequently transferred to overcrowded cells. In another major Kabul interrogation center, Sheshdarak, there is no outside communication of any kind with detainees, while detainees in Sedarat are reportedly permitted no visits from relatives even during many months' detention. In some cases relatives were unable to find out where the detainees were held until they were transferred to prison, and most detainees reported that they thus receive no change of clothes. However, more recent information suggests that some of these restrictions have been relaxed. Although the food in Sedarat appears barely adequate and prisoners are

reported to display symptoms of scurvy, it is said to be considerably better than that provided in Pul-e Charkhi prison.

Pul-e Charkhi prison is said to have been built originally for 5000 prisoners and was not completed when the first PDPA government came to power in 1978. Although it is reported to have been enlarged, there have been persistent accounts of extreme overcrowding. Estimates of the total number of prisoners vary, but until very recently Amnesty International believes that it has been probably well in excess of 10,000. One block is said to be occupied by ordinary criminal prisoners, but they are estimated to be not more than about 1000 of the total in the prison. Most of those held in Pul-e Charkhi are suspected or convicted of political offenses.

A wide variety of sizes of cells exist in the prison's several blocks. Some of the prisoners interviewed by Amnesty International had shared cells with only one or not more than 10 others, but most had been in large halls shared by 150 or more prisoners. There were several reports of prisoners living in the corridors of Pul-e Charkhi because of overcrowding. The most persistent complaint was of the acute scarcity of toilet facilities. Several reports stated that prisoners in Pul-e Charkhi share accommodations in circumstances which make it impossible for them all to lie

down simultaneously to sleep, and cite skin diseases and diarrhea, as well as bugs, lice, and fleas, as common consequences of the unhygienic conditions. A number of hunger-strikes and other protests over prison conditions have been reported from Pol-e Charkhi prison. Extreme overcrowding is similarly reported from other prisons in Afghanistan including Ghazni, Herat, Kandahar, Jalalabad, and Mazar-e Sharif.

In addition to overcrowding, lack of sanitation, and poor food, the other principal complaints were of lack of mattresses, lack of heating in winter, damp cells, and inadequate medical attention. The last is of particular concern in view of the presence of infants with women detainees, for example in Sedarat.

#### Death Penalty

Revolutionary Courts have imposed the death penalty, including in cases involving politically motivated violent crimes. There is no right to appeal the verdicts of these courts. Amnesty International has been unable to determine how many people were executed in Afghanistan. The official news media announced 77 death sentences and 68 executions in 1984 and 40 death sentences in 1985, but we believe that these represent only a proportion of the total number of cases in which death sentences are imposed and carried out.



In 1986, the Kabul government stopped announcing death sentences and executions, but we do not believe this indicates that they have stopped. Former prisoners allege that unreported executions are frequent.

In cases of death sentences or executions announced by the official media, almost all the accused were said to be members of particular armed opposition groups and to have made confessions. The reported offenses in some cases related to specific acts of murder, and in others included "uprising and commission of anti-government and counter-revolutionary acts," "fleeing from military service, joining the enemy and armed resistance against the government," and armed highway robbery. There have also been unofficial reports of executions of members of the Afghan armed forces.

#### Legal safeguards and international standards

The provisional constitution of the Democratic Republic of Afghanistan (DRA) is the Fundamental Principles; it was brought into effect on 21 April 1980. Article 30 of the Fundamental Principles prohibits torture. Furthermore torture is punishable under the Penal Code of Afghanistan by a term of imprisonment of five to 10 years. Amnesty International has received no other information to suggest that officials have been prosecuted for involvement in torture. [p.26] nor information suggesting that allegations

of torture had been investigated or action taken against those responsible. Afghanistan was one of the first states which signed the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment of Punishment. The Convention's provisions require each state party to "take effective....measures to prevent acts of torture". The Convention also requires that no statement made as a result of torture should be invoked as evidence in any proceedings. Amnesty International believes that statements made as a result of torture are introduced before special revolutionary courts in Afghanistan. Further, the Convention provides that no exceptional circumstances such as a state of war, can invoke justification of the use of torture.

With regard to safeguards against incommunicado detention without charge or trial , the Afghan government in its initial report to the UN Human Rights Committee, stated that its Criminal Procedure Law provides that a person arrested is informed of the reasons for his arrest and the charges against him. The law further ensures that anyone detained on a criminal charge shall be brought promptly before a judge or other authorized officer; that the accused shall be tried within a reasonable time. Amnesty International, however, considers that international standards are contravened in Afghanistan by the arbitrary arrest and prolonged incommunicado detention of political

prisoner without charge or trial for several months and in some cases longer.

Torture is also punishable under the Criminal Codes of the 15 Soviet Republics that form the USSR. In addition, the USSR is a party to the International Convention on Civil and Political Rights and has signed the Convention Against Torture. The Convention against Torture extends the obligation of a state party not only to offenses committed in territory under its jurisdiction but also to offenses when the alleged offender is a national of that state. With regard to Soviet officials being present during the infliction of torture in Afghanistan, the Torture Convention provides that an "act by any person which constitutes complicity [emphasis added] or participation in torture" is considered an offense under the criminal law of the state party to the Convention. Amnesty International therefore believes that Soviet presence when torture is inflicted by others construes complicity in torture and contravenes international human rights standards.

#### Effect of the Program for "National Reconciliation"

In January of this year, the Kabul government announced details of a program for "national reconciliation." Since then, the government has claimed to have released approximately 5000 prisoners. According to government

sources, 1200 of them were released from Pul-e Charkhi. In late February 1987, western journalists observed the release of what appeared to be only several hundred prisoners from Pul-e Charkhi. Amnesty International has repeatedly requested the names of those released. To date we have received no reply.

On March 3, 1987, the Afghan Foreign Minister announced that his government will permit the UN Human Rights Commission's Special Rapporteur on Afghanistan to visit the country to study allegations of human rights violations.

#### Recommendations

Mr. Chairman, Amnesty International calls on the Democratic Republic of Afghanistan to undertake the following actions:

--The highest authorities in Afghanistan should issue clear public instructions that torture will not be tolerated under any circumstances.

--The government should ensure that relatives, lawyers and doctors have prompt and regular access to all detainees, and that all detainees are brought before a judicial authority promptly after being taken into custody.

--The government should ensure that trial procedures meet international standards, including the availability of legal representation, the presumption of innocence, and the right to appeal.

--The Afghan Government should establish an impartial body to investigate all complaints and reports of torture, and extrajudicial executions.

--In every case where it is proved that an act of torture has been committed by a public official, criminal proceedings should be instituted against the alleged offender.

In view of the presence of Soviet personnel in Afghanistan and reports of their involvement in torture and extrajudicial executions, Amnesty International recommends the Government of the USSR to undertake the following actions:

--Clear public instructions should be issued to all officials, that torture will not be tolerated.

--The Soviet Government should make public what steps it has taken to investigate the persistent allegations that Soviet personnel are involved in torture.

--The USSR Government should indicate what, if any, prosecutions have occurred of military personnel for ill-treatment of prisoners

--In the training of its officials involved in the custody, interrogation or treatment of prisoners, the Government should ensure that they are instructed to be obliged to refuse to obey any order to torture.

--The Government of the USSR should facilitate access by an international humanitarian body to prisoners in whose interrogation or custody Soviet personnel are involved.

Mr. YATRON. Without objection, it will be included in the record. We want to thank you very much for your statement. I see that Ms. Jones has accompanied you here, and I want to welcome her.

Our final witness on this panel is Dr. Zia Mahmood. Dr. Mahmood is a constituent. We welcome you here today; you may proceed with your statement.

#### STATEMENT OF ZIA MAHMOOD, VICE PRESIDENT, PRAYER FAITH INTERNATIONAL

Mr. MAHMOOD. Thank you, Mr. Chairman.

I represent the Reading, Pennsylvania-based, charitable, non-profit organization called Prayer Faith International [PFI]. PFI is dedicated to serve the medical needs of the so-called homeless people, irrespective of their color, creed, or place of origin.

Recently, we were approached by a Pakistani medical doctor, a pediatrician named, Dr. Rizwan, to provide medical assistance for the Afghan refugees. We wanted to do our own research, and our research regarding the plight of Afghans, not only baffled us, but completely jolted us.

Before I go any further, please allow me to explain briefly about the people of Afghanistan and the country itself. Afghanistan is a land-locked country bordered by Iran, China, Pakistan, and the Soviet Union. Being land-locked and having rugged terrain, Afghanistan and its people have escaped the so-called civilized influences and were able to maintain uninterrupted peace and tranquility to which they were so accustomed. Those of us who have been to Afghanistan in the past can safely say that Afghanistan is still living in the 18th century.

Afghans are known for their hospitality and friendship. They will give their lives in the name of friendship, if needed.

But the Soviet occupation of this land has drastically shattered the unique lifestyle of its people. The atrocities committed by the occupation forces are beyond human imagination. Allow me to proceed directly and illustrate.

Number 1. Every individual who ever visited or was educated in Western countries in general, and United States in particular, is a suspect. These individuals are summarily tried, interrogated, tortured, jailed, and in many cases butchered.

My two close Afghan friends, who went to school with me here in the United States, are rotting in jail, without any outside contact. Their only crime was that they came to the United States of America for education and upon returning home, they corresponded with their friends here in the United States.

Please help me find them.

Number 2. Dr. Rizwan tells us that evidence of chemical warfare is everywhere. He told us that he has seen many children victimized by chemical warfare. One particular strain of virus that he studied, which is being commonly used attacks one's nervous system, leaving its victims like vegetables.

It is common knowledge now that the Kabul regime, with its Soviet ally, is in the process of developing a ten mile deep "defense zone" along the Pakistani border so that the victims of these atrocities will not escape to Pakistan and so the nefarious and the

deadly use of chemicals will remain undetected. This "defense zone" will be mined with chemicals.

Finally, I implore and beseech you, in the name of humanity, not to forget these unique people who beg you to help them, so they can be left in peace.

Thank you, Mr. Chairman.

Mr. YATRON. Thank you very much, Dr. Mahmood, for your very personal and insightful statement.

My first question is, is torture perpetrated more against military personnel, civilians, refugees, or members of the Mujahadeen? Whoever would like to respond go right ahead.

Mr. Goering.

Mr. GOERING. The evidence that Amnesty International has compiled indicates—

Mr. YATRON. Please use the other microphone. Thank you.

Mr. GOERING. Yes. The evidence that Amnesty International has compiled indicates that torture is inflicted frequently and routinely in prisons and especially in interrogation centers of the Khad, as we mentioned in our testimony. It seems to be inflicted against large sectors of the population, who are prisoners. This include academics, opposition figures, journalists, former government personnel, including relatives of these persons.

It appears to be inflicted against a wide spectrum of the prison population.

Mr. NORCHI. Mr. Chairman?

Mr. YATRON. Mr. Norchi.

Mr. NORCHI. Thank you, sir.

If I might simply confirm and support what Mr. Goering has said, over the last couple of months, we have interviewed at least forty torture victims, most of whom were, indeed, not Mujahadeen. Many were women, a couple children, old men, and the remaining were Mujahadeen fighters.

So, to us, it is clear that the use of torture is launched against broad spectrums of Afghan society.

Mr. YATRON. Thank you.

Dr. Rubin.

Mr. RUBIN. Just a brief statement from personal experience.

I have personally interviewed something on the order of a hundred former prisoners from Afghanistan, and I have never interviewed one of any type who did not allege some form of torture or mistreatment.

Mr. YATRON. Thank you.

Would anyone else care to respond? Dr. Miggiani.

Mr. MIGGIANI. Yes. There is one final point, Congressman, that many of the people we are talking to have been tortured and are now free. We ask them the question, how come is it that you have been liberated, and they answered, because after interrogation for three months, six months, a year, two years, they found out that we were not involved with Mujahadeen, and they have to let us go.

So, many of the people are free precisely because of the fact that they were not freedom fighters or heavily involved in the fighting.

Mr. YATRON. Thank you.

Mr. Solomon.



Mr. SOLOMON. Mr. Chairman, it is almost incomprehensible to think that intelligent, educated people in any government could do the things that we have been told about here today. It is just heart-breaking to think that any human beings have to suffer that way.

Mr. Goering, does Amnesty International have any way of getting to public opinion or getting to the Soviet Government to officially lodge complaints?

What are you doing? I know what you are doing in this country. What are you doing in Europe and elsewhere to bring this out to the people?

Mr. GOERING. Yes. As you know, Amnesty is an international human rights organization. We have organized branches in forty-five different countries at the moment, and a worldwide membership of about 600,000 now.

Recently, Amnesty International conducted a worldwide campaign against the use of torture in Afghanistan, which ran for a period of months. During that time, Amnesty members around the world were involved in attempting to draw publicity to the situation of widespread torture in Afghanistan.

In addition, we approached through our international headquarters both the Afghan authorities, as well as the Soviet authorities. We presented them before we went public with a memorandum outlining our concerns as well as recommendations. When both the Soviet authorities and Afghan authorities did not respond, we felt compelled at that point to bring this information to the attention of the public. So, we mobilized our worldwide membership in Western Europe, in Asian countries, the Middle East, Africa, and Latin America, to campaign against the phenomenon of torture.

Mr. SOLOMON. Thank you very much.

Mr. Norchi, could I—well, go ahead. Would you like to answer, Mr. Miggiani.

Mr. MIGGIANI. Yes. Speaking with regard to the European aspect of it, there were three members of the delegation who come from European countries, and immediately the idea was expressed that once the report is final, it will be disseminated as many circles in Europe as possible. Two of the members are involved in academic work and have access to the universities and research institutes, and it is very much in our intention to eventually discuss the report with as many people as possible in the United States.

Mr. SOLOMON. Thank you.

Mr. Norchi, why does the United Nations insist on using vague language about foreign forces instead of identifying the Soviet Union by name? Does your project envision going to the World Court or some other forum with the evidence that you have accumulated and what kind of response do you expect when the United Nations cannot even describe this invasion for what it really is?

Mr. NORCHI. Well, sir, please have no doubts that our report will name the foreign forces who are in Afghanistan.

What we would like to see happen actually is that this body that the U.S. Congress urge that our final report is taken up by various international forums and, indeed, we would like to see the United States take up our report in the U.N. Commission on Human Rights, and perhaps we will see some movement in the direction of

supporting international human rights in Afghanistan within the corridors of the United Nations.

So, your point is extremely well taken.

Mr. SOLOMON. Well, I can just assure you, and I know that I speak for our good chairman as well, that we are going to take it up. I served as a delegate to the United Nations during the fortieth general assembly session, and it was just absurd to think that that body would not even recognize the Soviet Union as being the foreign force in Afghanistan.

Gus, I will look forward to working with you in bringing that to their attention. Good luck to you, Mr. Norchi, and thanks for doing such a great job.

Mr. NORCHI. Thank you, sir.

Mr. SOLOMON. I would yield back the balance of my time, Mr. Chairman.

Mr. YATRON. Thank you, Mr. Solomon. I certainly go along with your suggestion and will work with you in support of bringing this matter before the United Nations.

Mr. Feighan.

Mr. FEIGHAN. Thank you, Mr. Chairman.

I would like to ask any of the panelists to respond to events which have taken place during the past few months. In January of this year, Mikhail Gorbachev announced a cease fire in Afghanistan, and he has spoken of phasing-out withdrawing Soviet troops in Afghanistan. And Mr. Gorbachev has attempted to establish a new so-called openness, known as "glasnost," in his other policies.

Have any of those statements or actions had any positive effect at all in Afghanistan? Have you seen any improvement, if I could use that term, in the conduct of Soviet forces in Afghanistan?

Mr. NORCHI. Sir, if I may take that question. Actions, of course, speak louder than words, and we were in Pakistan, at the announcement of the cease fire, and we have been in and out of that region over the last several months.

Many of the people that we interviewed had suffered or witnessed atrocities since and during the announcement of the cease fire. One particularly horrible example, there was a caravan in the middle of March that was moving across the deserts of western Afghanistan, on its way to Baluchistan, which is a province in Pakistan. They were seeking safety. A caravan of refugees.

Soviet helicopters landed, the people were massacred, the bodies were burnt, and one man escaped to the refugee camps in Baluchistan.

Apparently we have been told that there is still a pile of ashes almost as a landmark on a refugee escape route into Baluchistan. So, it is very graphical.

To answer your question, we have not seen from our experiences any diminution in the level of fighting on either side, especially the attacks coming from the DRA and the Soviet side.

Mr. FEIGHAN. Mr. Norchi, you may want to respond to my next question, too.

What is the status of medical assistance for the freedom fighters? To what extent are medical materials available to the Mujahidin, both inside Afghanistan, as well as in camps on the Pakistani border?

Mr. NORCHI. Well, there are many courageous people working inside Afghanistan. Medicines Sans Frontiers from France. There is a German group. There are Americans working along the Pakistani border. A great Swedish group is also working inside, and then there are private efforts around the country.

In fact, residents of Ohio have donated funds to establish a clinic operating in Afghanistan, called The Ohio Clinic, that was set up a month and a half ago. I think Dr. Rubin is better prepared to respond to this question. He has been following this for an awfully long time.

Mr. RUBIN. This is not an issue on which Amnesty works, but just from my experience doing research in other capacities, I would say that the biggest shortage is not so much of medical material, although there is a shortage of medical material, but of personnel who are trained how to use it.

That is what the Swedish Committee for Afghanistan has told me because they have had experiences of sending material in and having it misused. So, training the personnel would probably be the most important factor there.

Mr. FEIGHAN. We have heard a number of reports of Afghan children being sent to the Soviet Union.

Can any of you comment on the extent of this practice—how widespread it is, the ages of the children, how long they are kept in the Soviet Union? Could you elaborate on the validity of those reports as well?

Mr. RUBIN. Well, first of all, I would like to refer the subcommittee to reports published by Helsinki Watch and Asia Watch which have dealt with this subject, namely "To Die in Afghanistan," and "To Win the Children: Afghanistan's Other War," which was published last year.

There are a variety of programs under which children are sent to the Soviet Union, and adults, also, I should mention, ranging from kindergardners to college and post-graduate students. Some of these programs are short-term, like vacation programs or short-term courses, and others are long-term.

I think probably the most, shall I say, unusual program is one that was announced by the Afghan Government in 1984, which is a program for sending thousands, as they claim, of first graders to the Soviet Union for ten years of education. We do not know the actual numbers. Just because they announce thousands does not mean they succeeded in sending thousands, but they certainly have sent at least many hundreds. That is well documented, and they may have sent thousands.

The conditions under which these children are sent are alleged to vary. Some are children of party members, some are pressured into going, and some are sent by force without the consent or, sometimes, even the knowledge of their parents, according to the reports from refugees in Pakistan, some of whom have given detailed reports giving names and so on.

Mr. FEIGHAN. Thank you very much.

I would like to thank all of the members of the panel. Your testimony this morning has been extremely helpful to us both in terms of understanding the dimensions of the problems for the Afghan

people, as well as understanding even more vividly our own responsibilities in trying to bring these problems to an end.

Mr. YATRON. Mr. Miller, did you want to be recognized?

Mr. MILLER. Just one brief question, Mr. Chairman.

I apologize because of another subcommittee meeting of not being here for the whole time, but just following up on Mr. Solomon's question to the representative from Amnesty International.

When you presented the report to the Soviet Government, did you get a response, any response; if so, what?

Mr. GOERING. No, there was no response.

Mr. MILLER. This was sent to them in writing. Did you attempt to go see Soviet diplomatic officials here or abroad?

Mr. GOERING. Yes, both here and elsewhere. In fact, during the course of the campaign, in addition to the communiques being issued from our international headquarters in London directly to Soviet authorities in Moscow about our concerns in Afghanistan, various Amnesty International sections around the world were actively requesting visits—with Soviet embassy officials in their home countries.

We requested a meeting with the Soviets here in Washington to discuss with them our concerns. Unfortunately, there was no reply to our letter.

Mr. MILLER. So, the requests across the world for visits were turned down?

Mr. GOERING. To the best of my knowledge.

Mr. MILLER. Okay. Thank you.

Thank you, Mr. Chairman.

Mr. YATRON. Thank you, Mr. Miller.

Mr. Wilson.

Mr. WILSON. No, I do not have any questions.

I just want to thank the panel members for their time and testimony.

Mr. YATRON. I have no further questions.

I want to thank all of you gentlemen for being here and for giving us the benefit of your views. Your information and suggestions will certainly be very helpful to the subcommittee, as we continue to examine this important issue.

Thank you very much.

Our final witness today is Mr. James Montgomery, Deputy Assistant Secretary for the Bureau of Human Rights and Humanitarian Affairs at the Department of State; accompanied by Mr. Charles Dunbar, Special Assistant for Afghanistan.

Gentlemen, we look forward to hearing your statement. You can come to the witness table.

Mr. Montgomery, we welcome you back. I know you have previously been before our subcommittee. We welcome you and Mr. Dunbar and look forward to hearing your statement.

**STATEMENT OF JAMES MONTGOMERY, DEPUTY ASSISTANT SECRETARY, BUREAU OF HUMAN RIGHTS AND HUMANITARIAN AFFAIRS, DEPARTMENT OF STATE, ACCOMPANIED BY HON. CHARLES DUNBAR, SPECIAL ASSISTANT FOR AFGHANISTAN**

Mr. MONTGOMERY. Thank you, Mr. Chairman.

I am very pleased to be here. I think this is an important topic. We have brought Mr. Dunbar along. Ambassador Dunbar was last our ambassador in Qatar and prior to that, he was chargé in Afghanistan up until 1983. So, he has firsthand experience with the situation in that country.

Furthermore, I think all of the human rights problems that we are going to discuss today do tie in to the basic political problem that we are faced with, which is the Soviet attempt to establish a pliant client regime on the people of Afghanistan, and much of what we have to say feeds back very quickly into the political questions and Ambassador Dunbar will be quite prepared to address those, as well as the human rights issues.

Mr. Chairman, with your permission, I would like to submit my prepared testimony for the record and just summarize some points briefly here to get the discussion started.

Mr. YATRON. Without objection, that will be very helpful, Mr. Secretary.

Mr. MONTGOMERY. To do that, I commend to the subcommittee the 1986 report on human rights in Afghanistan, which was submitted as part of our overall Country Reports on Human Rights Practices done in response to a congressional mandate, which we submitted on January 30th of this year, and I took the liberty of going through the report and extracting about a dozen declarative sentences which I will read to the subcommittee. I think it is a very good starting point for what it is we are trying to do.

Let me read a few of those sentences.

The immediate objective of the Soviet occupation is the establishment in Kabul of a secure and pliable client regime.

In May 1986, the Soviets engineered the ouster of Babrak Karmal as general secretary of the Peoples Democratic Party of Afghanistan and his replacement with the Soviet-trained Najibullah, former head of the Khad, the Afghan Secret Police.

Under the Najibullah regime, the dismal human rights situation deteriorated still further in 1986. Through a campaign of indiscriminate air and artillery bombardment, the Soviets and the Kabul regime have sought to terrorize the Afghan people into submitting to the regime's authority or in fleeing the country.

Reports such as that of the UN Special Rapporteur detail the number and scope of violations of international humanitarian law being carried out with impunity by the Soviets and the Kabul regime.

Afghanistan lacks an independent judiciary to guarantee fundamental human rights. Arbitrary killing and other acts of violence against suspected regime opponents were commonplace in 1986.

The regime continued in 1986 to execute political prisoners. There were, as in the past, many disappearances in 1986. To extract information, intimidate regime opponents, and punish suspected resistance sympathizers, the regime security services frequently rely on torture.

No constitutional or legal safeguards prevent arbitrary arrest or detention. All courts, whether civil, military, revolutionary, or security, are controlled by the People's Democratic Party of Afghanistan.

The Afghan regime does not recognize the right to privacy and all that implies. The regime and its Soviet backers consider the educational system and the mass media essential to their long-term objective of Sovietizing Afghan society and overturning traditional Afghan social and political institutions. The regime tolerates no expression of ideas which have not been approved by the party and its Soviet ideological supervisors.

All media are owned and controlled by the regime and tightly supervised by Soviet officials. There is no freedom of peaceful assembly or association in areas controlled by the regime.

Since the 1978 coup, religious organizations have been tightly supervised by the regime. Afghanistan is a totalitarian state, ostensibly ruled by Afghans and the

PDPA, People's Democratic Party of Afghanistan, but is in reality controlled by the Soviet Union. Citizens have no right to change their government.

Soviet military and civilian advisors, the latter numbering approximately 9,000, sit in all ministries and make or approve all significant decisions. The Kabul regime has resisted all efforts by international humanitarian organizations to investigate its human rights practices. The Soviets and the Kabul regime strongly oppose the renewed mandate given the Special Rapporteur on Human Rights in Afghanistan by the U.N. Human Rights Commission. They refused to cooperate with the Special Rapporteur's efforts.

That is our 1986 report. We asked our people in Kabul to give us an update for this testimony. They have submitted a telegram which I will be happy to make available for the record, Mr. Chairman, and let me just read the summary, which I think takes us up to the present.<sup>1</sup>

Our people in Kabul say that a number of disturbing trends suggest a worsening of human rights abuse in Soviet-occupied Afghanistan. Increasingly, Soviet and DRA forces are reported to be conducting reprisals against civilian areas. The reprisals appear to fall into two categories, those aimed at tactical and strategic depopulation, such as in Northern Kunduz and Takhar provinces, and those intended as punitive retaliations, such as in villages to the north of Kabul and in many other areas.

In conjunction with the above operations, Soviet troops continue to use indiscriminate force, particularly along road ways, destroying dwellings and, even more important, orchards and vineyards. There continue to be specific reports of Soviet use of inhumane weapons to include a report of the use of chemical weapons in the Herat area.

D.R.A. human rights violations in the relatively limited areas of its control are commonplace. Eyewitness accounts of the use of torture, execution and physical abuse inside DRA prisons are widespread. Within Kabul and reportedly in Jalalabad, the DRA has resumed press gang operations aimed at dragooning young men into the DRA military.

Mr. Chairman, let me just finish up by expanding on the first point I made, that the immediate objective of the Soviet occupation of Afghanistan is establishment of a compliant and secure puppet regime in that country.

That leads to a very important point which is that the Soviet Union, in its attempts to establish this pliant regime, is the cause of the human rights violations in Afghanistan. I think we have to look at that in two ways.

First, the Soviets are attempting to impose a system of Government on Afghanistan that in itself denies human rights. Even had the Afghan people submitted quietly to this, they would today be saddled with a totalitarian, single party government that brooks no political opposition, denies the basic freedoms of speech, assembly, fair trials, and press, controls religion, treats education as a political indoctrination tool, and denies the right to emigrate and all judicial protections.

The second point, however, is that the Afghan people have not submitted. To the contrary, they have fought the Soviets to a standstill and in response, the Soviets and their clients have visited

<sup>1</sup> See Appendix 4.

death and destruction on them. As long as the Soviets persist, the Afghan people's prospects are bleak. If they resist, they will be bombed, shot, tortured, press ganged, and imprisoned, their countryside will be devastated with reprisals and, in the millions, they will continue to seek refuge in foreign places.

This is what the Afghan people can expect if they continue to resist. As is clear, the Afghan people accept this burden, however brutal, for the alternative to them is unacceptable: the imposition of a totalitarian regime and the loss of their centuries old freedoms.

Mr. Chairman, there is only one solution to the human rights problem in Afghanistan. The Soviets have to leave. The Afghans have to be given the chance to determine their own political future. Thus, a Soviet withdrawal is not only the focus of our human rights policy, but also of our entire diplomatic effort toward Afghanistan.

Mr. Chairman, I would also like to express our appreciation for the remarks that Mr. Wilson made about the cooperation between his efforts and other Members of Congress and the Executive Branch in Afghanistan. The newspapers today are filled with stories of conflict between our two branches. I think in this area, there is a heartening consensus.

We have also listened with interest to what Mr. Norchi and his group have had to say. We look forward to the report in September. Our people here, our people in Pakistan, have cooperated with them and we will continue to do so.

Finally, I would just like to take this opportunity to go on record as saying that we also pay great and close attention to the work of Amnesty International, not only in Afghanistan, but all around the world. It is a serious organization and one that we are proud to be able to do some business with.

We are now available for your questions, Mr. Chairman.

[The prepared statement of Mr. Montgomery follows:]

PREPARED STATEMENT OF JAMES MONTGOMERY, DEPUTY ASSISTANT SECRETARY OF  
STATE FOR HUMAN RIGHTS AND HUMANITARIAN AFFAIRS

More than seven years after the Soviets invaded Afghanistan, their brutal efforts to force acceptance of a puppet regime have failed abysmally. Not even an estimated 116,000-118,000 Soviet troops--armed with the most up-to-date military hardware--have been able to subdue the Afghan people. However, the price of the Afghan resistance struggle for freedom has been costly. Up to five million Afghans have been dislocated and are now in temporary refuge, both within and without Afghanistan; an estimated one million civilians have been killed; and many hundreds of thousands more within Afghanistan are suffering from war-caused injuries, deprivation and destruction of their traditions and way of life. The Kabul regime--Moscow's client--controls little more territory and people than the direct force of Soviet arms can guarantee. The fighting has even spread to the outskirts of Kabul itself.

The Soviet-backed regime's attempts to force an alien ideology on Afghanistan has been massively rejected by the Afghan people. Fundamental divisions within the ruling communist People's Democratic Party of Afghanistan (PDPA) have contributed to its weakness. The regime's lack of legitimacy and popular support is evidenced by its reliance on the Soviet military presence to remain in place.



The accession to power of Najibullah, former head of the Afghan secret police, to replace Babrak Karmal as General Secretary of the PDPA showed the importance the Afghan authorities place on control, as opposed to freedom. The Afghan security apparatus will trample any freedom in its efforts to crush popular resistance. The Afghan government clearly seeks, as many communist regimes have sought before, to eliminate physically the challengers to its quest for political domination. It is this drive for dominance and the regime's concomitant unwillingness to tolerate any rivals or to allow the Afghan people to decide their own leadership that underlies the expanding scale of human rights violations.

The secret police apparatus, formerly known as KHAD and now called the Ministry of State Security, is one of Afghanistan's largest employers. It has more than 25,000 Afghans working full time under the supervision of Soviet KGB agents. The Afghan security apparatus, under the tutelage of its Soviet counterpart, has learned numerous new techniques for extracting information. Now, one of its own is the ultimate master of the government.

Since the PDPA assumed power, it has violated or compromised virtually every internationally recognized human right. It uses political murders, torture, disappearances, clandestine and incommunicado detention, and routinely deprives the Afghan people of the fundamental freedoms of speech, religion, and association.

#### POLITICAL MURDER/DISAPPEARANCES

Political murders and disappearances are common. Both Soviet and regime forces routinely kill prisoners captured in combat and have killed persons suspected of aiding the resistance. Indiscriminate reprisal raids, resulting in the deaths of civilians, are common. The resistance itself attempts to assassinate government and Soviet personnel, and its field policy apparently is to kill rather than release or hold most Soviet prisoners. Both sides also engage in efforts to kidnap opponents, who then may be held clandestinely for months, either for interrogation or exchange. The US government cannot condone such practices by either side, and calls on all parties to the conflict to refrain from carrying out summary executions and clandestine detentions.

TORTURE

Amnesty International and Helsinki Watch have reported numerous cases of torture carried out by the Kabul authorities as a means of interrogation, intimidation and punishment. The UN Special Rapporteur on Afghanistan, Dr. Felix Ermacora, in his February 1987 report to the UN Human Rights Commission, encouraged the UNHRC to determine "whether the use of torture during interrogations has been stopped." The weight of evidence clearly indicates that the Soviet-backed regime continues to use torture. Although the regime has signed two international conventions prohibiting torture, and there are domestic laws against its practice, the regime persists in the use of torture. The US calls upon both the Kabul regime and its Soviet creators to publicly condemn torture, investigate allegations of its occurrence and punish the perpetrators.

Let me, for the record, note a few examples. The regime's favorite forms of physical abuse involve electrical shocks, repeated and intense beatings, burnings, forced exercise, immersion in cold water or snow, and suffocation with something called a "black bag." Other reliable reports tell of the widespread use of psychological tortures; mock executions, incarceration with the bodies of other victims, and demonstration of torture on other prisoners. These practices are employed to force confessions. The number and consistency of these reports make clear that such practices are not an isolated or unauthorized phenomena; they are common instruments of state policy. It comes as no surprise that the regime's officials seldom, if ever, punish persons responsible for engaging in torture, or reject confessions obtained through torture.

According to a study prepared by the Psychiatry Center for Afghans in Peshawar, Pakistan, 39 of 40 victims its

physicians treated had been systematically beaten, 36 had been subjected to electric shocks, 9 had suffered genital torture, 12 had been forced to witness others being tortured, and 7 had either been deprived of food for more than 72 hours or water for more than 48 hours. This led for some to deafness, scars, tremors on both hands, epileptic seizures, impotence, impaired memory and concentration, irregular sleep, emotional disturbances, difficulty in walking, headaches, dizziness, chest pains, swollen testicles, lethargy and nightmares, and depression.

In November 1986, Amnesty International, published serious allegations of Soviet supervision of these tortures. It noted that in at least one case, a Soviet has been accused of actually participating in the torture of an Afghan victim. Apparently these practices have taken place at both civilian and military detention areas. Helsinki Watch, in its December 1985 report "To Die in Afghanistan," stated that rural villagers captured during field operations are transported to the Pol-i-Charki prison for interrogation under torture by Soviets. Pol-i-Charki is estimated to contain 20,000 prisoners, according to the Afghan Information Center in Peshawar. Those linked to the resistance are transferred to other torture facilities. Helsinki Watch also reports the use of Soviet and/or East German machines to inflict torture upon detainees.

Many prisoners in fact have little or nothing to do with the resistance. Amnesty International has reported that one man was arrested and subjected to torture for picking up an opposition leaflet in front of his shop and reading it. Another prominent Kabul merchant reportedly was imprisoned, tortured and then given a personal apology by KHAD officials. Those lucky enough to be released soon after the regime realizes its mistake have had to sign declarations that they will not reveal that torture was inflicted on them.

#### INCOMMUNICADO DETENTION

Incommunicado detention by the regime's prison and military authorities exacerbates the problem of torture, since independent observers whose presence might discourage such practices are barred from meeting with the vast majority of detainees. Few Afghan families ever learn that a family member has been arrested. Access to prisoners, if permitted at all, may take place only months after the interrogation phase, during which torture is most likely to occur. Legal counsel are not permitted to consult with prisoners during or after interrogation, and medical assistance is extremely

limited. The International Committee of the Red Cross (ICRC) has been allowed to reopen an office in Kabul, and is attempting to obtain access to political prisoners. The Afghan resistance permits the ICRC limited access to its prisoners under a 1982 agreement.

#### RIGHT TO FAIR, PUBLIC TRIAL

The regime's court system is completely controlled by the PDPA. It does not protect the right to fair, public trials. Its first priority is "to protect the revolution." The political detainees who do manage to receive a trial--a minority--can expect to be charged with treason, espionage or terrorism. They can also expect to be tried and sentenced in secret.

#### LAWS OF WAR

The world community has been made aware, from the reports of the UN Special Rapporteur and others, of the number and

scope of violations of international humanitarian law being carried out with impunity by the Soviets and their puppet regime. Efforts such as the Committee for a Free Afghanistan's War Crimes Project continue to bring important information on this intolerable situation to the world's attention. As Ambassador Okun pointed out in his November 1986 statement to the General Assembly, relevant legal provisions concerning Soviet directed behavior that have been cited include the following (dealing with the law of war):

--The 1949 Geneva conventions and customary international law designed for the protection of civilians which proscribe, inter alia, murder and mutilation, the massive use of anti-personnel weapons, collective punishment and pillage, and indiscriminate destruction of property.

--the 1925 Geneva Protocol and 1972 Biological and Toxic Weapons Convention.

--the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.



Large-scale aerial bombardments against civilian targets carried out by Soviet and Kabul military forces are the cause of many civilian deaths. These attacks have been carried out both to punish civilians for resistance attacks, and to depopulate areas from which guerrillas have been able to operate. These bombardments have forced the emigration of millions to Pakistan and Iran, placing a tremendous burden not only on the host states, but also on the refugees. Even while attempting to escape, the Afghans face danger. Soviet and regime forces regularly attack refugee columns crossing into neighboring countries. No less an authority than Dr. Ermacora, the Special Rapporteur, can confirm this. He stated in a 1986 report that, while in Pakistan near the Afghan border, he had seen the bodies of women and children who had been killed as they fled their country. The ICRC maintains two surgical hospitals at Peshawar and Quetta in Pakistan near the Afghan border to provide conflict victims with medical assistance.

There continue to be reports of Soviet use of inhumane weapons in Afghanistan. Soviet/regime forces in the Kandahar area have reportedly used a parachute bomb that explodes well above ground level, causing destruction over a wide area. Helsinki Watch has also received persistent reports of bombs disguised as watches, pens, toys and other everyday objects.

The resistance appears to be responsible for a massive vehicle bomb which exploded in Jalalabad on February 4, 1987, killing 35 and wounding over 200. Although it was targetted against a major government installation (the city communications center), the method of attack resulted in many innocent civilian victims.

#### OTHER HUMAN RIGHTS

Important human rights which have received little or no respect in Soviet-controlled Afghanistan include the following:

--the right to privacy;

--freedom of speech and press;

--freedom of peaceful assembly and association;

--freedom of religion;

--freedom of movement within the country, foreign travel, emigration, and repatriation; and

--the right of citizens to change their government.

These rights, which citizens in the West often take for granted, simply do not exist in any meaningful sense in Soviet-controlled areas of Afghanistan. The PDPA's totalitarian drive for power has prevented these rights and freedoms from being exercised without the risk of interrogation, torture, imprisonment and punishment.

The Kabul regime has persistently, and in violation of UN resolutions, attempted to block international and nongovernmental investigation of human rights violations.

After the United Nations voted in 1984 to establish a Special Rapporteur on Afghanistan, the regime refused to permit his entry into the country to investigate allegations of abuses. Only under the pressure of world opinion, and facing worldwide condemnation of its policies, did the regime invite the Rapporteur to visit Afghanistan in early 1987. The conditions of the visit remain to be worked out, but, if past experience is any guide, the authorities will attempt to restrict his contacts and movements. Amnesty International has consistently been denied permission to enter. The ICRC has re-established a presence in Kabul only after a four-year hiatus.

The Soviet Union has displayed an equally contemptuous attitude. Foreign journalists have been permitted to enter Afghanistan to observe alleged Soviet troop withdrawals and the so-called "process of national reconciliation," but under carefully stage-managed conditions. The scale and horror of human rights violations committed by the regime and the USSR has forced both to take stringent measures to reduce access by independent media and organizations.

The United States has constantly raised these violations of internationally recognized human rights with the Soviet and regime authorities. We press for an end to the Soviet occupation of Afghanistan.

The US strongly supported two resolutions adopted at the 1986 UN General Assembly which 1) called for the immediate withdrawal of foreign troops from Afghanistan and 2) deplored the violation of human rights in Afghanistan. The former was endorsed by 121 other nations, an overwhelming majority of the members of the UN. The US again supported similar resolutions which were adopted with overwhelming support at the UN Human Rights Commission meeting in Geneva in early 1987. Ambassador Samuel G. Wise, deputy US representative to the Vienna Followup Meeting of the Conference on Security and Cooperation in Europe in November 1986, denounced the Soviet record in Afghanistan. The US has raised this issue regularly in its contacts with the Soviets, leaving no doubt as to the heavy burden the attempted subjugation of Afghanistan is placing on the bilateral relationship.

The USSR has recently professed interest in achieving a political settlement to the conflict. Yet unremitting military pressure on the resistance, including efforts to create a cordon sanitaire along both the Pakistani and Soviet borders, belies the supposed interest in negotiating a settlement. The authorities' recent offer to engage in a ceasefire unrealistically failed to include any provision for a Soviet withdrawal and amounted to a call for a unilateral resistance standdown, understandably forcing the Afghan

resistance to reject it. We now understand that the regime has released some political prisoners at provincial prisons and from Pol-i-Charki, but its amnesty is limited and has not yet been extended to the vast majority of prisoners. Moreover, there is reason to believe that the releasees are being dragooned into military service shortly after being freed. Such amnesties do not camouflage the fact that fundamental freedoms must be expanded, including the right to self-determination and political dissent, before the vast majority of refugees will feel secure in returning.

A genuine settlement must, principally, guarantee 1) the prompt, irrevocable withdrawal of Soviet forces and 2) self-determination for the Afghan people. The Soviets have yet to propose a timetable for such withdrawal at the talks in Geneva. The Kabul regime's proposals for "national reconciliation" similarly reveal only a continuing effort to perpetuate PDPA domination. The Afghan resistance has called for the establishment of a popularly chosen interim administration prior to the withdrawal of Soviet forces, which would organize elections and oversee a Soviet troop withdrawal. The resistance has also offered amnesty to its opponents and stated that it would guarantee safety for departing Soviet forces.

The United States supports the struggle of the Afghan resistance to prevent Soviet domination of Afghanistan. It will continue to back the Afghan cause until Soviet forces have completely and finally withdrawn from Afghanistan, leaving the Afghan people free to determine their own future.

Mr. YATRON. Thank you very much, Secretary Montgomery, for an excellent statement and for the thought-provoking comments that you have made.

Secretary Montgomery, what is the status of Afghanistan's seat in the United Nations? Has the United States challenged the credentials of the representative of Afghanistan at the United Nations?

Mr. MONTGOMERY. No, we have not. We recognize the Government in Afghanistan. We have diplomatic relations, albeit at a reduced level, with the government there. We have an embassy in Kabul. No, we have not challenged their seat in the United Nations.

Ambassador Dunbar, would you care to comment?

Mr. DUNBAR. Yes. I would like very much to comment on that, and we—the point is that we do have diplomatic relations with the Government of Afghanistan, the Soviet client government in Afghanistan.

However, I want to say that, having been chargé d'affaires, we conduct absolutely no substantive business with that government. We limit our contacts to essential items of administrative business.

That said, you raised the question about the challenge to the credentials of the Kabul regime in the United Nations. As President Reagan said to the spokesman of the Afghan resistance who visited the President at the White House in 1986, that question is premature.

What we need to be able to begin to mount the kind of campaign that should be going on in the United Nations is for the Afghan resistance to develop to the point politically at which it could challenge, as an alternative government or, indeed, as the real government, the Kabul regime. And I want to make the point that the Afghan resistance is doing that. It is making encouraging steps to taking on the attributes of a government.

This process is one that I could discuss with you in considerable detail because it is what I spend my working hours thinking and working on, but let me just say that something like this takes awhile to develop. We are encouraging it in every way that we can think of, and at the time that the Afghan resistance attains the attributes of a government, and I should say immediately that is already an absolutely valid liberation movement and, as such, a valid representative of the Afghan people, then I can assure you that this government, the executive branch, would make every effort to re-evaluate the situation and to move on the UN front.

So, your question is very germane and it is one that is a great preoccupation for us.

Thank you for letting me amplify on that.

Mr. YATRON. Thank you very much, Mr. Ambassador.

The number of incursions of Pakistani air space from Afghanistan has increased dramatically in recent months.

How has this affected the well-being of the people living in those areas?

Mr. MONTGOMERY. Mr. Chairman, according to our information, there have been over 400 incursions into Pakistani air space by the end of April, and about 350 people have been killed and about 500

have been wounded. Many of these people were refugees from Afghanistan.

It also seems that the Kabul regime and its people have intensified their attempts to destabilize the urban population centers in Pakistan in the refugee-impacted areas. They have put truck bombs targeted at the local populations in the hopes of inciting refugee-Pakistani tensions.

Now, there is no doubt about it that these raids have brought further misery on the people fleeing from tyranny and on the people who have given them compassion and shelter.

Our embassy in Pakistan works very closely with the UN Commission for Refugees and others to monitor conditions in the border camps and if there are any further physical problems that can be ameliorated by assistance, we will provide it.

We have condemned these attempts, these clumsy, obviously brutal attempts to change Pakistan's policy toward Afghanistan, and we have repeated and emphasized our support for Pakistan. I think Ambassador Dunbar might like to expand on this a bit.

Mr. DUNBAR. No, I have no particular comment to make on that.

The cross border raids are an integral part of Soviet strategy toward Afghanistan. The Soviets, as has been pointed out, are beginning to speak a new language. There are new words that come out on Afghanistan, but the effort to subjugate the Afghan people militarily inside the country goes on without any remission, and the parallel effort to force the Government of Pakistan, by whatever appropriate means may be available, to cease its support, its essential support, of the Afghan resistance, continues.

That effort is wide-ranging and cross border raids and subversion inside the country, bombings and that sort of thing, are very much part of the strategy and are very much in the forefront. It makes difficulties for the Soviets in trying to present themselves as wanting peace, but this is a comprehensive strategy aimed at achieving solutions acceptable to the Soviet Union in Afghanistan, and they will continue to have to answer, as they speak of peace, for the acts of war that they are committing, not only inside of Afghanistan, but now on an increasing scale against Pakistan as well.

Mr. YATRON. Thank you.

Would you characterize our present policy of supporting the freedom fighters as a successful policy, even though the Soviets have not withdrawn?

There is no doubt that they are rethinking their plans as a result of our long-term support for the Mujahidin.

Would you agree that one of the major reasons our policy has been effective is because of strong bi-partisan congressional support? In your judgment, would it be fair to say our efforts to effect change abroad has a far better chance for success when there is strong backing from the Congress?

Mr. MONTGOMERY. Well, Mr. Chairman, I would like to take a crack at that, and I know Mr. Dunbar would like to speak to the essential political problem that you have raised.

As you say, I have appeared before this subcommittee before and I had the privilege of working with it when I worked in congressional relations for five years in the Department of State, and there is no one more aware of the truth of your statement that the



effectiveness of our diplomacy is enormously enhanced when there is unity between the executive and the legislative branches. That just goes without saying, and I think one of the reasons that our policy has been effective in Afghanistan has been that there has been almost total unanimity of opinion between both branches as to the needs to support the resistance in Afghanistan.

Mr. DUNBAR. Yes, Mr. Chairman, I would like very much to comment on that.

I am delighted to be here today and to see that you yourself and your colleagues, whom I have not had the pleasure of meeting, are also interested in Afghanistan. The bi-partisan support has been absolutely essential to our efforts.

Congressman Wilson, Senator Humphrey, Congressman Lagomarsino, are people who I have dealt with a lot. You can name people from one party and then from the other. The support is total.

Several of these Congressmen and Senators have proposed specific initiatives that should be undertaken. Congressman McCullum is the father of the program for bringing war wounded back to the United States and other countries for treatment and as the program began, the idea of bringing non-lethal DOD excess commodities to Afghanistan, to the Afghan people, is his.

Senator Humphrey has been an enormous driving force behind the humanitarian assistance program and the Afghan media project, and Congressman Wilson has been just a driving force across the board in every aspect of our policy.

So, I think, as I have said in public speeches, the American people recognize what is going on in Afghanistan, and you represent the American people, and we get a very, very clear signal. There is absolutely no static on the line at all, and I think it works very well. We will, I am convinced, stay the course on this one. Our policy has worked and the Soviets are, we hope, beginning to rethink.

I wish I could be optimistic in saying that peace was around the corner, but I cannot be.

Thank you.

Mr. YATRON. Yes.

Mr. MONTGOMERY. Mr. Chairman, toward this end, I should say that in the most recent example of the executive-legislative congruence on this issue the administration strongly supports Mr. Lagomarsino's House Joint Resolution 25, which is a clear expression of our attitude towards what is happening in Afghanistan.

Mr. YATRON. I thank both you gentlemen. I certainly agree that when we are in unison, we are going to be much more effective, and we want to continue to work together in that direction.

Mr. Solomon.

Mr. SOLOMON. Thank you, Mr. Chairman.

Mr. Secretary and Mr. Dunbar, we really appreciate your remarks here this morning.

Just a couple of questions. I guess both of you could answer, maybe the former chargé d'affaires in Afghanistan might even be able to elaborate on this, but how large a diplomatic presence does the United States maintain in Afghanistan today? And what is to

be gained from diplomatically recognizing what you have described as a Soviet puppet regime?

Have we ever given thought to withdrawing our recognition and focusing instead on creating or acknowledging at least a government in exile? Something along that line has been done with respect to Cambodia and I have personally advocated a similar approach regarding Ethiopia, which has a similar type of Soviet puppet regime.

Have we ever given any thought to that, or is there any merit to it?

Mr. MONTGOMERY. I think our chargé d'affaires, our former charge, will handle that.

Mr. DUNBAR. Congressman, yes, that is the answer to you on all counts.

The answer is yes, there is a great deal of thought given to it, and let me just comment on it briefly.

First, in going back to the beginning of your question, we maintain a twenty-American presence in Kabul. This includes six Marine guards, the minimum that one can have to mount a twenty-four guard, and a number of communications personnel. The substantive diplomatic staff is—I do not want to bore you as I count on my fingers, but five or six people.

The reason that we maintain this presence is so that we can learn more about the war, so we can get that perspective on the war, and so can get the news of what is going on quickly into the public domain. We think that the embassy has been quite effective at doing that, remarkably effective, given the restrictions that it—that are imposed on its activities by the Kabul authorities, notably the inability to travel more than a distance of twenty kilometers from the center of Kabul.

That, I should say, by the way, is a very wise restriction by the Kabul regime because it does not control the countryside.

Our effort is also limited by our own self-imposed restrictions of having absolutely no dealings with the government.

Having the embassy there makes us able to ask for and get a lot of reporting, very interesting and accurate reporting, on the human rights situation in Afghanistan. We have been able to do that. When you are able to speak directly to the people in their language about what is going on, you can find out a good deal of information that you personally consider to be reliable.

That is why we have an embassy there. This is, for you and for many others, a subject of very considerable controversy. Some believe that we should slam the door entirely on Afghanistan, on Kabul and the Kabul authorities, and go home. I would like very much to do that.

The problem is that we need to have something that we can recognize. The Afghan resistance, although it is coalescing, in my opinion, is not yet in the position where we can do that. We cannot create a government in exile. The Afghans just do not lend themselves to that, and I am constantly finding myself having to change my own oral and written presentations into the passive voice and to speak of things like encouragement, cajoling, jawboning. When we had the Afghan resistance here in 1986, when we had the spokesman, there was a lot of jawboning done, but they have got to

do it themselves, and they are making progress, thanks in considerable measure to our humanitarian assistance program, which is being channeled or at least a very considerable amount of it is being channeled through the resistance alliance and through its committees that have been established to deal with education, health and agriculture, and transport.

They are beginning to work together more and people tend to overlook the side of the coin that I feel to be very important. As those committees are able to deliver social services inside Afghanistan, they take on the attributes of not just people with guns who fight and deny the countryside to the occupiers and to their clients, but who also show themselves to be the government in those areas.

So, this is something that we are encouraging very much. We also hope that the resistance leadership will work together better at the top, and as that develops, the question of a challenge to the credentials in the United Nations can be addressed seriously.

I can assure you that a lot of the intellectual underpinning of how such a challenge would be mounted does exist, but we need to wait a bit longer. The Soviets are very patient and we need to be as well. When the time comes, in my opinion, the challenge can be mounted, and nobody would like it to be sooner than I would.

Mr. SOLOMON. That brings up the subject that we still see in the international news media about the Soviets making frequent noises for propaganda purposes about withdrawing from Afghanistan, and, Mr. Montgomery, you touched on that in your testimony.

It seems to me that that is just gimmickry. It appears that they are trying to establish without a doubt a permanent institutional infrastructure to maintain Communist control of that government, which is really what I think you said; and yet the international news media seems to play down that fact.

Mr. Feighan asked a question earlier of the other panelists, concerning the Soviet practice of taking Afghan children to Moscow for training and indoctrination. Again, how extensive is that, and how old are those children? Do we have any information for the record on that subject?

Mr. MONTGOMERY. We do have a special report which we will submit for the record on that subject. We published it a bit ago, but I think it lays out fairly well what we do know.<sup>1</sup>

As one of the previous witnesses pointed out, the announcement of a program and the implementation of a program often have gaps between them. So, we do not have very accurate information as to numbers and what have you.

I would just go back to say that education is an important tool as far as these people are concerned. According to our figures, there are about 6,000 Afghans studying in the Soviet Union. How many are at the university level, how many at the secondary level, how many at the kindergarten level, we really cannot say. I will be quite pleased to submit a fuller exposition of this for the record, but there is no doubt of the importance of education to the Soviets in their minds as they attempt to impose a regime that is congenial to them on the people of Afghanistan.

<sup>1</sup> See appendix 3.

Mr. SOLOMON. Mr. Montgomery, I really appreciate you and Mr. Dunbar coming before this subcommittee this morning. You know, the Afghans may be the epitome of bravery, people fighting for freedom throughout the history of this great world of ours, and our hearts just go out to these wonderful people.

I appreciate your coming before us.

Mr. MONTGOMERY. Thank you very much.

Mr. YATRON. Thank you, Mr. Solomon.

Mr. Dreier.

Mr. DREIER. Thank you very much, Mr. Chairman.

I want to thank you again, Mr. Chairman, for holding what I think is one of the most important hearings to take place on Capitol Hill. I am very sorry that I had to leave and did not get a chance to ask questions of the previous witnesses. Maybe I will touch on a couple of those things in the next few minutes with these gentlemen from the Department of State.

First of all, let me say to you that I appreciate as one who—I guess you heard when I mentioned earlier, having participated in providing medical relief to some of the Mujahidin, we could not have done it without the tremendous help that the State Department provided, and I simply want you all to know that I do appreciate the cooperation that you demonstrated in our trying to meet that. I hope that you will show the same cooperation when what I am certainly praying will be a ground swelling of my colleagues who will try to do the same thing in the next several months.

Let me follow up on one of the items that was mentioned earlier by Mr. Feighan and then again by my friend, Mr. Solomon.

We know that in January of this year, General Secretary Gorbachev announced that there was going to be a withdrawal of 6,000 troops from Afghanistan. I remember seeing that on one of those breaks in the evening program, which is prime time, when most people are looking at the television, and after that, we heard absolutely nothing.

We had been told by many that this was simply a rotation of troops, but next to nothing appeared in the media at all. I wonder if you all have any kind of response at all to the announced 6,000 troop withdrawal which took place in the wake of the cease fire.

Mr. MONTGOMERY. I know Mr. Dunbar followed that very closely.

Mr. DUNBAR. Congressman, are you speaking of the withdrawal announcement in July of 1986?

Mr. DREIER. Well, as I recall, was there not an announcement that took place early this year?

Mr. DUNBAR. There was an announcement. I may have missed something. I do not think he got into the troop withdrawal.

Mr. DREIER. I am very nervous that you missed that.

Mr. DUNBAR. I think—well, I am nervous if I missed it, but there was the famous speech in July, in Vladivostok, in which he made the announcement that—I think it was six regiments would be withdrawn. The number of troops was in that vicinity.

Mr. DREIER. You know, I am probably off by six months. I am probably off by six months in my timing. That must have been it.

Mr. DUNBAR. Well, they went through quite an exercise on that announcement because they did have to follow up on it. What they did, in effect, was to withdraw a couple of anti-aircraft regiments.

Those were two of the six. The resistance air force, they had decided after seven years, was not a threat that compelled them to keep anti-aircraft regiments in the country.

They then did some funny business with, and my memory is a little blurry here—I think with two tank regiments in which some tanks were taken out and the regiments were reorganized. But the significant thing was that they indicated that they were going to withdraw two motorized rifle regiments out of about eleven that they have in the country, and that would have been very significant.

But what they did was they played a shell game and they simply took two out and they brought two in.

Mr. DREIER. So, it was a rotation.

Mr. DUNBAR. It was fake—it was a strange kind of business.

Mr. DREIER. But simply a rotation.

Mr. DUNBAR. It was not even a rotation. They brought two in and then took them out again as—so, it was bogus. The cutting part of that announcement was made bogus by what they did subsequently.

Mr. DREIER. Mr. Dunbar, we hear a wide range of numbers of Soviet troops that are in Afghanistan. I hear primarily somewhere in the range of 115,000 to a 120,000. Is that accurate as of today?

Mr. DUNBAR. As far as I know, yes.

Mr. DREIER. That is right about where we stand. Maybe I could just touch on some of the questions that I was going to ask earlier.

Do you all have any evidence that the Soviets are expending a great deal of their efforts trying to develop new devices which will be maiming the children and old people?

I hear that some of these magnificent new toys, like click pens, which will blow your hands off, and even candy sticks with explosives which will blow half the face off of a child. Do you have evidence that the Soviets are really pursuing, first of all, research into new kinds of techniques and, second, if they are deploying them in Afghanistan?

Mr. DUNBAR. Briefly stated, I cannot say that I have such evidence. I will be happy to look and see what we know in detail on this subject, but I do not think there is evidence. Certainly, the butterfly bombs and the toy bombs are a part of the Soviet record in Afghanistan, and booby traps are another very common thing, perhaps a click pen would be something that would be used.

I do not want to make this a definitive statement, but I am not aware, and papers have not come across my desk, nor have I had conversations that would support a view, that there was a very heavy Soviet research effort in this area.

But it is something I would be happy to look into.

Mr. DREIER. Well, I would appreciate that very much.

Mr. DUNBAR. Yes.

Mr. DREIER. Is there any evidence that—well, let me preface this by saying that we, as we focus most of our attention here on Central America, hear of atrocities on both sides, the Contras and the Sandinistas, and I was happy to see that report in Monday's Washington Post about atrocities which have been perpetrated by the Sandinistas.

I guess what I am saying is, is there any evidence that atrocities have been perpetrated by the Mujahidin?

Mr. DUNBAR. Again, there is limited evidence. The Afghans are a very tough and unforgiving people, and I certainly know that when I was there, there was talk from time to time of things that we would describe as atrocities. A lot of things go on in the heat of battle. Resistance armies tend not to take prisoners, although there are Soviet prisoners, we understand, of the resistance inside Afghanistan. I am sure that prisoners have been killed.

One resistance leader I spoke with here said that that was the case, and we have pretty good reporting that other prisoners have been killed as well.

There is no evidence to indicate that wide scale and systematic atrocities, are a part of the resistance strategy. But it is a very, very brutal and unpleasant conflict. I am sure that prisoners on both sides are being killed, and that the resistance does not deal kindly with people who collaborate with the Kabul regime.

While, I would not say that it was on a major scale, this kind of thing is happening. I am quite sure, in Afghanistan.

Mr. MONTGOMERY. I would think that we should also reject any attempts to draw a parallel between what the Soviets and the puppet regime is doing and these actions that Ambassador Dunbar has just described.

I think the key point is that this is not a matter of systematic policy on the part of the Mujahidin. Abuses, reprisals, retribution, torture, imprisonment, summary execution, are clearly a matter of policy on the part of the other side, and I think that is a very important distinction to be made.

Mr. DREIER. Yesterday, the House of Representatives passed out a \$289 billion Defense authorization bill, and in it, there was language tying the President's hands on arms control, turning the corner on the chemical warfare issue, which was mentioned by one of the earlier witnesses, and it is very frustrating to me to see this kind of action being taken by the Congress while at the same time the Soviets are performing as they are in Afghanistan.

I guess what I would like to ask both of you is, I suspect I know how you feel about those earlier issues, but I would just like to know what you believe we as a Congress should do to try to address this crisis.

There is not a great deal of media coverage being focused on today's hearing, with all due respect to people who are here. I am not a member of this subcommittee. So, there have been a number of my colleagues here.

I am just frustrated that there is not enough attention being focused on this. What would you like to see Congress do to try and, number one, enhance the visibility and, number two, turn the corner on the issue?

Mr. MONTGOMERY. Well, I think hearings like this are extremely valuable. This war has been going on for a long time, and on any given day, we may feel that it is not getting the attention that it richly deserves.

But I think if we look back over the seven years, we will see what we have discussed earlier, which is a heartening degree of executive-legislative cooperation on this. Both the Congress and the

Executive Branch take every opportunity to publicize this. It is a hard war to get at in terms of media. It is difficult and dangerous for the media to get in there. However, the President speaks of it. It is included in Human Rights Day exercises, and I think the net result of the actions by the legislative and Executive Branch over the seven years have been a very heartening demonstration of bipartisan unity and I think they have made their point, not only to the people in Afghanistan, but also to the Soviets. I think we just have to keep the course, and I think we will.

Mr. DREIER. Great. Well, I will simply say again that I thank you for doing that, to let you know that I personally and I know a lot of my colleagues will continue to do that, too, and I thank you for your testimony, and thank you very much again, Mr. Chairman, for allowing me to drone on for awhile. I know you have to clear out this room.

Thanks for including me.

Mr. YATRON. Thank you very much, Mr. Dreier, for your contribution. If you have any additional questions, we can submit them in writing.

Unfortunately, we would like to continue this hearing, but I am told that they need this room for a briefing. It has to be swept and—

Mr. SOLOMON. Classified.

Mr. YATRON. It is a classified briefing for Members of Congress and it will be in use by 12:30.

So we thank both of you for being here and for giving us the benefit of your views, which will be very helpful to the subcommittee.

Mr. MONTGOMERY. Thank you, Mr. Chairman.

Mr. YATRON. The subcommittee stands adjourned subject to the call of the Chair.

[Whereupon, at 12:10 p.m., the subcommittee adjourned, subject to the call of the Chair.]





## APPENDIX 1

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### PREPARED STATEMENT OF HON. WILLIAM S. BROOMFIELD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mr. Chairman, I commend the members of the Subcommittee of Human Rights and International Organizations for holding today's hearing to examine the human rights situation in Afghanistan. We must bring the attention of the free world to bear upon the abuses being committed by the Soviet invaders of that country.

The United States must continue to support those who resist the unprovoked Soviet invasion of Afghanistan. Continued international exposure of the human rights violations being committed by the Soviet Army in Afghanistan will assist in pressuring the Soviets to negotiate a withdrawal from that country. I would especially like to thank the Committee for a Free Afghanistan for their diligent efforts in documenting these abuses.

I believe that the United States must strive to improve relations with the Soviet Union. However, such improvement must occur in a manner that advances, not harms, vital U.S. security interests. The United States would view a withdrawal of Soviet forces from Afghanistan as an important sign of Soviet intentions in other areas of our strategic relationship.

## APPENDIX 2

PREPARED STATEMENT OF HON. ROBERT J. LAGOMARSINO, A  
REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

MR. CHAIRMAN, AS THE CO-CHAIRMAN OF THE CONGRESSIONAL TASK FORCE ON AFGHANISTAN, I WOULD LIKE TO THANK YOU FOR THIS OPPORTUNITY TO TESTIFY ON THE GRASTLY HUMAN RIGHTS SITUATION IN AFGHANISTAN. I WOULD ALSO LIKE TO COMMENT YOU AND THE OTHER MEMBERS OF THE COMMITTEE FOR HOLDING THIS TIMELY HEARING. TOO OFTEN, RECENTLY, OUR ATTENTION HAS BEEN DIVERTED TO OTHER CRISES IN THE WORLD AND THE PLIGHT OF THE AFGHAN PEOPLE HAS BEEN RELEGATED TO THE BACK BURNER. HEARINGS LIKE THIS ONE TODAY HELP TO REMIND US OF THE GRAVE INJUSTICE AND SUFFERING BORNE BY THE AFGHAN PEOPLE DUE TO THE HARSH, ILLEGAL SOVIET INVASION AND OCCUPATION OF THEIR COUNTRY. TODAY'S DISCUSSION OF THE CRIMINAL HUMAN RIGHTS SITUATION IN AFGHANISTAN WILL FURTHER EMPHASIZE THAT THIS IS AN IMPORTANT, COMPASSIONATE ISSUE THAT DESERVES TO REMAIN ON THE "FRONT BURNER".

I KNOW THAT THE LAWYERS WHO COMPRISED THE "PROJECT ON WAR CRIMES IN AFGHANISTAN" WILL PRESENT A VIVID, WRENCHING DESCRIPTION OF THE MASSIVE VIOLATIONS OF HUMAN RIGHTS IN AFGHANISTAN. I ALSO KNOW THAT MY FRIEND CONGRESSMAN CHARLIE WILSON HAS MANY TELLING OBSERVATIONS FROM HIS VISITS TO THE REGION. THEREFORE, I WILL KEEP MY COMMENTS BRIEF. SADLY, IT IS NOT HARD TO COMPILE A LONG LIST OF BARBAROUS CRIMES THE SOVIETS AND THEIR AFGHAN COLLABORATORS HAVE COMMITTED AGAINST THE INNOCENT AFGHAN POPULATION. THE RECENT REPORT PREPARED BY THE SPECIAL RAPPORTEUR OF THE UN COMMISSION ON

HUMAN RIGHTS, DR. FELIX ERANCORA, CLEARLY DOCUMENTS SOVIET ATROCITIES AND OTHER HUMAN RIGHTS VIOLATIONS AGAINST THE PEOPLE OF AFGHANISTAN. THE 13-PAGE ANNEX THAT THE U.N. WRONGLY REFUSED TO MAKE PART OF THE OFFICIAL REPORT IS EVEN MORE REVEALING. THE FOLLOWING HEINOUS CRIMES ARE FREQUENTLY BEING COMMITTED BY THE SOVIETS IN AFGHANISTAN. INCIDENTALLY, THESE ARE THE SAME SOVIETS WHO ARE PROCLAIMING A POLICY "GLASNOST":

THE SOVIETS ARE ENGAGED IN A SCORCHED-EARTH POLICY DESIGNED TO FORCE AFGHANS TO BECOME REFUGEES. THE SOVIETS HAVE PURPOSELY BURNED VILLAGES AND CROPS. THEY HAVE DESTROYED IRRIGATION SYSTEMS, SCHOOLS, AND MOSQUES. THEIR GOAL IS THE DESTRUCTION OF THE AFGHAN NATION AS A WHOLE.

THE SOVIETS HAVE PURPOSELY BOMBED INNOCENT CIVILIAN TARGETS. THERE HAS BEEN EXTENSIVE USE OF NAPALM AND HIGH EXPLOSIVES AGAINST NON-MILITARY TARGETS. OFTEN TIMES, THE SOVIETS WILL OPT FOR MAIMING RATHER THAN KILLING INNOCENT AFGHAN WOMEN AND CHILDREN TO INCREASE THEIR SUFFERING AND BURDEN ON THE REST OF THE POPULATION. THE USE OF LAND-MINES IS WIDESPREAD AND THE DROPPING OF BOMBS DESIGNED TO LOOK LIKE TOYS MEANS THAT YOUNG CHILDREN ARE DELIBERATE TARGETS.

THOSE AFGHANS WHO HAVE STAYED OR HAVE BECOME INTERNAL REFUGEES IN THE SOVIET CONTROLLED CITIES ARE SUBJECT TO INDISCRIMINATE ARREST AND TORTURE. THE SOVIET AND PUPPET AFGHAN JAILS HAVE ABSOLUTELY NO CONCEPT OF EVEN RUDIMENTARY HUMAN RIGHTS. VIOLENT TORTURE IS COMMON AND EXECUTIONS ROUTINE. A DECEMBER 1986 UPI REPORT DETAILED THE BRUTAL EXECUTION OF PRISONERS AT KABUL'S PULI CHARKI PRISON TO RELIEVE "OVER-CROWDING".

IN THEIR EFFORTS TO ERADICATE TRADITIONAL AFGHAN CULTURE AND HERITAGE, THE SOVIETS HAVE KIDNAPPED AFGHAN CHILDREN FROM THEIR PARENTS AND HAVE FORCEABLY SENT THEM TO THE SOVIET UNION FOR COMMUNIST INDOCTRINATION. OTHER CHILDREN, YES CHILDREN, HAVE BEEN CONSCRIPTED INTO THE MILITARY. ACCORDING TO THE UN RAPPORTEUR, THE CONSCRIPTION SYSTEM IS GOVERNED BY SEVERE DISCRIMINATORY METHODS.

THE BRUTALITY UNLEASHED AGAINST THE BRAVE MUJAHIDEEN FREEDOM FIGHTERS IS ALMOST INCOMPREHENSIBLE. PRISONERS ARE NOT TAKEN, THEY ARE EXECUTED. MEDICAL TREATMENT IS DENIED. UNFORTUNATELY, AS WE HAVE RECENTLY EXPERIENCED, THE SOVIETS AND THEIR AFGHAN PUPPETS HAVE NOT CONSTRAINED THEMSELVES TO AFGHANISTAN. THEIR BOMBINGS AND THE TERRORIST ACTIONS CARRIED OUT BY THE KGB AND THE KHAD HAVE KILLED MANY AFGHAN REFUGEES IN PAKISTAN AS WELL AS PAKISTANI CITIZENS.

FINALLY, A PICTURE IS WORTH A THOUSAND WORDS. I RECENTLY RECEIVED A VERY REVEALING BOOK FROM THE WRITERS UNION OF FREE AFGHANISTAN. IT WAS FILLED WITH PICTURES OF INNOCENT AFGHAN VILLAGES AND VILLAGERS WHO WERE SUBJECT TO THE RED ARMY'S INHUMAN POLICIES. I URGE CONCERNED CITIZENS TO REVIEW THIS BOOK. HOWEVER, I MUST WARN THEM TO DO SO ONLY WHEN THEY HAVE A STRONG STOMACH--THE BRUTALITY IS GUT WRENCHING.

AS I PREVIOUSLY MENTIONED, THE LIST OF ATROCIOUS HUMAN RIGHTS VIOLATIONS AND BLATANT DISREGARD FOR NUMEROUS INTERNATIONAL LAWS, TREATIES, AND CONVENTIONS IS VERY, VERY LONG. IT IS INCUMBENT UPON US TO CONTINUE TO TRY TO FOCUS INTERNATIONAL ATTENTION ON THIS AFGHAN GENOCIDE. I HOPE MY COLLEAGUES, ESPECIALLY THOSE WHO HAVE BEEN ARGUING DURING THE DEBATE ON THE

DEFENSE BILL THAT THE SOVIETS CAN BE TRUSTED AND THAT THE SOVIETS REALLY AREN'T THAT BAD, CAREFULLY REVIEW TODAY'S SORROWFUL PROCEEDINGS. THE RAPE OF AFGHANISTAN IS THE POLICY OF THE SOVIET UNION. THE AFGHAN GENOCIDE IS THE RESULT OF THE RED ARMY.

AGAIN, MR. CHAIRMAN, THANK YOU FOR GIVING ME THIS OPPORTUNITY TO EXPRESS MY SYMPATHY FOR THE AFGHAN PEOPLE AND MY OUTRAGE AT THE BARBARIC SOVIET-LED ACTIONS AGAINST THEM.

## APPENDIX 3

# REPORT ENTITLED "SOVIET INFLUENCE ON AFGHAN YOUTH," FEBRUARY 1986, PREPARED BY PAUL TROTTIER, INTELLIGENCE RESEARCH SPECIALIST FOR SOUTH ASIA, BUREAU OF INTELLIGENCE AND RESEARCH, DEPARTMENT OF STATE

The following paper was prepared by Paul Trottier, Intelligence Research Specialist for South Asia of the Bureau of Intelligence and Research.

A major element in Soviet influence in Afghanistan is the ability of the Soviet Union and the Democratic Republic of Afghanistan (DRA) to give more than 40 percent of the country's population access to education, health, and agriculture. The overwhelming majority of the country's universities, hospitals, and government offices are in Soviet hands. Soviet influence appears to be

the Soviet Union's strongest point in Afghanistan. Soviet influence is also a major factor in the Soviet Union's influence in Afghanistan. Soviet influence is also a major factor in the Soviet Union's influence in Afghanistan.

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among those recruited into KHAD (the secret police). This cadre is a useful Soviet tool and, if expanded, could become an important factor in the long-term effort to transform Afghanistan. But only if the Soviets can persuade the country's youth to give up their support for the Afghan youth for Marxist ideology and the Kabul regime.

## Background

The Soviet Union has attempted to use its influence in Afghanistan to dominate and subvert the Afghan government and to bring about a revolution in the country. Measures to bring about these aims have included the use of Soviet military forces, the use of Soviet intelligence agencies, and the use of Soviet political systems.

Because of its strong political system, the Soviet Union has been able to dominate and subvert the Afghan government and to bring about a revolution in the country. Measures to bring about these aims have included the use of Soviet military forces, the use of Soviet intelligence agencies, and the use of Soviet political systems.

Afghan tradition. This approach, heavily influenced and probably directed by the Soviets, differs greatly from that of Hafizullah Amin, the Marxist ruler deposed in 1979. Amin's radical "reforms" served as a major spur to the insurgency.

Soviet methods in Afghanistan resemble those used to suppress the barakzai rebellions that lasted from 1917 until the 1930s in what today is Soviet Central Asia. Soviet Central Asia and parts of Afghanistan both contain Tajik, Turkmen, and Uzbek ethnic groups. In Central Asia, Moscow fought against many small guerrilla groups who viewed a Soviet threat to their traditional lifestyles. Poorly organized and plagued by internecine fighting, the Central Asian resistance gradually collapsed. The Soviets apparently hope to do the same in Afghanistan, the gradual destruction of Soviet institutions, and a prolonged tolerance for Islam eventually will produce a similar result with the Afghan resistance (as described as "warriors" or "thugs") referred to in the Soviet press as barakzai.

## Education of Afghans in the Soviet Union

Inclusive and training programs in the Soviet Union for Afghans in the U.S.S.R. have been the main focus of Soviet policy in the last few years. It is estimated that







in primary and secondary schools, and in Soviet-type 10th-grade schools as well as in the institutes developed at the Soviet Union's communist universities. The curriculum is 3 hours of Russian, 3 hours of Tajik, 3 hours of Pashto, and 2 hours of the native language of Afghanistan. Russian is compulsory in English, French, German, and other Western languages given. It has been phased out.

Cultural and technical cooperation with Soviet institutions—including technical assistance programs conducted in the Soviet Union, France, and West Germany—was terminated in early 1980.

The Russian curriculum at night is government oriented. It describes the Soviet Union as military assistance that helped save the 1970 revolution and guarantees the country a social, economic, and technical progress. The FDPA and the National Front are glorified, and Afghan history is depicted as a struggle against oppression. Islamic studies have been reduced from about 3 hours to 1 hour per week.

Subjects now taught in all college departments include "Principles of Marxism-Leninism," "Political Economy," "Dialectical and Historical Materialism," and "History of the Party."

**Textbooks and Materials.** Soviet officials have revised Afghan textbooks to reflect pro-Soviet and pro-communist attitudes. Since 1978, Afghan school and university textbooks have been printed in the Soviet Union or in Afghanistan under the direction of Soviet technical and editorial advisers. Most are now

published in Tashkent or Baku. Some are slightly modified versions of Soviet texts, with praise for Marxist replacing praise of Lenin.

Afghan institutions, when supplying schools and other organizations, feature Soviet media. Efforts have appeared to be placed on children's books, with one person, an unnamed, successful writer, such as "Tales About Lenin" in their distant history.

**Staff.** Soviet teachers, instructors, and advisers play key roles in Afghan education. Throughout the Afghan Government—including the Ministry of Education to which Moscow assigned its visitors in 1979—Sovets approve all important projects and help design and implement new curricula. For example, a Soviet Uzbek is said to head the recently created Union Department in the Afghan Ministry of Education.

The Soviets reportedly control the teacher training programs and seminars, including one funded by the UN Development Program (UNDP). The UNDP's teacher training project, which will end in 1986, finances eight Soviet teacher trainers in Kabul and is co-ordinated by a Soviet citizen.

Although the Soviets may try to use UNICEF programs to improve the DRA's image, UNICEF has sought to minimize this. It has done so by concentrating on child survival activities (especially oral rehydration therapy and immunization) and by limiting its educational activities to equipping and training personnel for kindergartens, day

care centers, and making the first two grades of a small number of primary schools. UNICEF has carefully designed the content of health education and other primary education courses, to avoid apologetics. Finally, in line with a UN General Assembly resolution, UNICEF has, in several years, limited its activities exclusively to Kabul.

Although the 1978 UNICEF Executive Board approved a program budget of \$19.2 million for the period 1979-82, the activities actually realized fell far short of targets following the Soviet invasion and the funds still have not been spent. UNICEF reported to the 1985 Executive Board that with its present reduced target levels it will be able to operate through 1986 and perhaps 1987 on the basis of its original 1979 authorization.

The United States and other Western donor nations have urged curbing for restricting the size of the UNICEF and UNDP programs largely because the Soviets seek to use them to further their influence in education.

The regime has initiated ideological training programs to correct what Karmal has called the serious deficiencies in the training of teachers for social sciences and military patriotic instruction. In 1981, the regime established a teacher training institute within the Ministry of Education to better implement the new Soviet inspired educational program. Some Afghan teachers are, however, trained in Tashkent—the capital of Soviet Uzbekistan.

Teachers are required to attend special seminars on how to encourage youth to build a new society and enhance their political knowledge. Teacher manuals specify detailed classroom plans that leave little room for individual initiative. Although in practice schools vary in terms of class content, these training courses promote extreme uniformity on a given day at a given hour. In all schools, all teachers in a given grade are expected to do exactly the same thing, with the course prescribed in detail.

Many Soviets were needed to supplement the pool of Afghan teachers and intellectuals, whose ranks had been decimated by emigration and purges during the first years of the communist government. As many as one-third, or several hundred, current teachers and administrators may be Soviet or bloc nationals; most of the rest are poorly qualified Afghan party members. Many Afghans probably are reluctant to teach, especially in rural areas where regime control is limited.

Most Soviet teachers are Russians, Soviet Central Asians, especially Tajiks who speak a dialect of Dari, the traditional language of educated Afghans, and Uzbeks, also are useful teacher sources.

Soviet influence is most pervasive in higher education, especially at Kabul University. Four-fifths of the faculty at Kabul University in 1979 have been replaced by Soviet and regime supporters. Since 1967, the regime has permitted engineering students to enroll only at Kame Polytechnic Institute, which was built and supplied by the Soviets. By 1965 the regime had closed Kabul University's School of Engineering, which had been constituted with U.S. aid, equipped with U.S. textbooks and materials, and taught by U.S. trained faculty.

Soviet aid, both cash and advice at technical and professional schools. An Afghan-Soviet agreement, signed in mid-1965, specifies that 90 Soviet teachers will be sent to Afghanistan to organize teaching at 10 technical colleges to be built with Soviet aid.

Soviet advisors and professors dominate Afghan pedagogical conferences. Of 66 papers presented at a conference of the Kabul State Medical Institute in Kabul in 1965, for example, 49 had one or more Soviet authors, usually cited with Afghan coauthors. At the first two scientific and technical congresses held at the Kabul Pedagogical Academy in 1960 and 1961, 12 of 46 papers presented were written by Soviet specialists attached to the Academy, Kabul University, and the Central Committee's Academy of Sciences.

**New Educational Programs and Schools.** The Karmal regime has introduced several programs targeting Afghans with no day-care centers, nurseries, and kindergartens, primarily in Kabul, many of them built under the regime's leadership.

Although the regime has made 5 years' compulsory education compulsory, many parents choose not to enroll their children. In most parts of the country, the regime has no power to force parents to send their children to school.

In Kabul, probably fewer than half of the 12-year-olds are enrolled.

The regime has failed to implement compulsory education, including the 5-year

mandatory and of technical school in Mazari-Sharif, spending more than 3 million rubles equipping these facilities between 1979 and 1985.

In 1960, the Soviets established the State Institute of Medicine in Kabul, amalgamating the medical school at the University. The Institute works closely with the Tajik State Medical Institute in the U.S.S.R., which provides refresher courses and postgraduate training, textbooks, textbooks and materials.

#### Literacy Program

The literacy campaign launched by the Marxist regime in April 1978 has achieved little. Although the DRA claims that 515,000 pupils attended literacy courses in 1980, 550,000 in 1981 and 622,500 in 1982, and that more than 1 million people had become literate under the aegis of the People's Democratic Party of Afghanistan, there is no evidence of a major increase in the literacy rate, which probably remains below 10%. The women suspect many of propaganda and slogans.

The actual number of students enrolled is much less than the DRA claims. The total number may be less than 200,000, the majority of them women and elderly civil servants. Improvement of their ability to read and write has been limited.

Widespread illiteracy means that even Soviet DRA officials must translate the Afghan people's needs

printed word. The regime now relies more on radio and television for order and control.

#### Language

In areas under their military control, the Soviets have been substituting Russian for Western languages. Prior to the Soviet invasion, books written in English, French, or German were common place in bookstores throughout Kabul. Today most available literature was published in the Soviet Union in Russian and Dari or another Afghan language. In April 1982 Russian was made a required subject in all primary and secondary schools. English, French, and German classes formerly have been phased out.

To a limited extent, the Soviets have pursued a policy of linguistic fragmentation and encouragement of cultural isolation among the various Afghan ethnic groups in order to increase Soviet DRA control. Moscow also promoted ethnic divisions among the Central Asian republics in the 1920s. The U.S.S.R. has been unable to implement this policy as vigorously in Afghanistan because of Soviet DRA inability to control more than a fraction of the country and percentage because of the adverse effect the policy would have on the PDPA, which has facilitated part of the ethnic divisions.

the Soviet Union. In the past, most of the Afghan population lived in rural areas. But now, because of the war, many have fled to the cities. The cities are now the main centers of the war. The Soviet Union is trying to control the cities. The Afghan resistance is trying to control the countryside.

The Soviet Union has tried to control the cities. But the Afghan resistance has been successful in controlling the countryside. The Soviet Union has been unable to control the cities. The Afghan resistance has been successful in controlling the countryside. The Soviet Union has been unable to control the cities. The Afghan resistance has been successful in controlling the countryside.

### The National Fatherland Front

The National Fatherland Front is a regime-sponsored organization whose relations program promotes party, group, and Marxist-Leninist themes. The front encourages the Democratic Youth Organization of Afghanistan (DYOA), the Democratic Women's Organization of Afghanistan (DWOA), trade unions, and associations for artists, artists, and other groups. The regime attempts to gain acceptance from children as the first to sixth grade by organizing school clubs, pageants, and rallies that promote the party and communism. For children aged 10-15, the Pioneer Organization of Afghanistan was created in 1980 under the auspices of the DYOA.

The DWOA actively recruits men 15 years and older for the DYOA, but its efforts have been largely unavailing. The DYOA reportedly recruits for local studies and then channels the recruits into indoctrination programs. It also attempts to reinforce discipline and propagate communist ideology in the Afghan military. These efforts, too, have been unsuccessful, as evidenced by poor discipline and widespread disciplinary and desertions from the Afghan military.

### Mass Media

Soviet and Afghan radio and television broadcasts contain propaganda aimed at Afghan youth. Most Afghans evidently listen primarily to radio music and ignore or distrust the propaganda messages that are interspersed with the entertainment. For news, many listen to the BBC, Radio Pakistan, or Voice of America, which the Soviets have tried unsuccessfully to jam.

### Status of Women

The Karmal regime prides itself on a policy of educating women and promoting equality with men, claiming to improve the status that women had prior to 1978.

In regime-held areas, women do enroll in literacy courses and can receive education and work in all the major professions. Although some women are sent to the Soviet Union for academic training, the large majority of those sent are men.

Under President Mohammad Daoud (1973-78), women advanced to high positions in the government, including Cabinet seats. The smaller number of women in such positions today may be at least partly explained by the security risks to anyone serving in highly visible and/or important government positions. However, these women now work in the government or participate in party (or party membership) at the middle and lower levels. Women also receive edu-

cation higher than that they did before the communist takeover. Female participation in the military is limited to non-combat related duties.

### Mujahidin Efforts To Counter Soviet/DRA Influences

The Afghan resistance has begun educational instruction in areas beyond Soviet control in order to avert the disruption of the war on education. The resistance operates a number of small schools in the countryside. These schools promote the Islamic faith and Afghan independence while opposing communist ideology and Soviet occupation. Mosque schools located throughout the country also reinforce Islamic belief and practice.

The alliance of seven Afghan resistance parties in Peshawar is planning large-scale education projects for Afghans both within Afghanistan and Pakistan. Final plans will likely include developing a central educational staff, supporting primary and secondary educational schools where possible, providing educational assistance to freedom fighters and others whose education has been interrupted, and strengthening scholarship opportunities in Pakistan and other countries.

## Prospects

Thus far, among the few Afghan youth who have completed study in Soviet DRA sponsored schools, whether in Afghanistan or in the Soviet Union, there is no evidence of widespread support for communist ideology and control. Most appear ambivalent toward communism. Many parents have refused to allow their children to be indoctrinated, particularly if they believe the children may be isolated from the family or taught anti-Islamic ideas.

Over the long term, the Soviets may be able to develop a small, loyal cadre of supporters, provided the political and

military situation remains roughly as it is today. This cadre probably will include the offspring of DRA regime leaders, those who benefit financially and politically from the current regime, orphans educated in the U.S.S.R., and young opportunists recruited into KHAD. Alone, they will be insufficient to maintain the regime or broaden its support.

The majority of Afghan youth are unlikely to adhere to Soviet ideology or support the Karmal regime in the foreseeable future because of traditional Afghan rejection of any outside domination

and religious beliefs that shun Soviet culture and ideology. Should the Soviets gain control over most of the country and begin a systematic indoctrination of the population, they could gain more converts. To gain widespread support, however, would require more than a generation of concerted effort. ■

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## APPENDIX 4

## TEXT OF MAY 16 CABLE FROM EMBASSY KABUL TITLED "HUMAN RIGHTS IN AFGHANISTAN: 1987 UPDATE"

Introduction

The following is a review of human rights developments in Afghanistan since the completion of the 1986 human rights report. This update incorporates some 1987 information which has been reported as well as some reporting specifically developed with the May 21 HFAC Subcommittee Hearing on Human Rights in Afghanistan in mind.

Summary

A number of disturbing trends suggest a worsening of human rights abuse in Soviet-occupied Afghanistan. Increasingly Soviet and DRA forces are reported to be conducting reprisals against civilian areas. The reprisals appear to fall into two categories: Those aimed at tactical and strategic depopulation such as in northern Kunduz and Takhar provinces and those intended as punitive retaliation such as in villages to the north of Kabul and in many other areas. In conjunction with the above operations, Soviet troops continue to use indiscriminate force, particularly along roadways, destroying dwellings and, even more important, orchards and vineyards. There continue to be specific reports of Soviet use of inhumane weapons, to include a report of use of chemical weapons in the Herat area. DRA human rights violations in the relatively limited areas of its control are commonplace. Eyewitness accounts of use of torture, execution, and physical abuse inside DRA prisons are widespread. Within Kabul and reportedly in Jalalabad the DRA has resumed press gang operations aimed at dragooning young men into the DRA military. There are periodic reports of mujahidin excesses but they pale in comparison to the accounts of Soviet and DRA efforts to cow those under their administration and terrorize those in areas beyond their control. End Summary.

Soviet Reprisal/Depopulation Operations

Soviet military reprisals against civilian areas in, from, or near which mujahidin operate have become increasingly common in recent months. The operations appear to be at two levels: The first punitive and the second specifically aimed at depopulating an area for tactical or strategic purposes. A clear example of the latter is the two-month long campaign (apparently still

underway) to create a depopulated zone in northern Kunduz and Takhar provinces following mujahidin raids from those areas into Soviet territory. Examples of punitive reprisals abound in the areas of northern Kabul and Parwan provinces, and elsewhere. The following catalogs specific reports of both kinds of reprisals.

(A) Depopulation Reprisals:

-- Beginning in early March and continuing at least through April Soviet forces conducted extensive military operations aimed at driving out the local populations from areas in northern Takhar and Kunduz provinces, notably in the area of Emam Sahib (Kunduz). Soviet and DRA forces encircled civilian areas, blocking flight prior to commencing bombardment of villages. In some instances, destroyed villages were used as fire bases for attacks on neighboring villages. The campaign followed mujahidin raids into the Soviet Union, apparently from these northern border areas.

-- In late April, according to a Kandahar resident and other travelers from the areas, Soviet forces began to exert pressure on residents of Kandahar in an effort to reduce the largely pro-mujahidin city population by inducing flight to Pakistan. The pressure included the cordoning off of the city and tightened restrictions on movement within the city. A Kandahar resident who recently arrived in Kabul noted that virtually all of the villages located outside the security cordon, which Soviet and DRA forces have created, have been destroyed by Soviet and regime forces with former residents having fled to Pakistan or into Kandahar.

-- On March 29, according to a traveler from Kandahar, DRA troops ordered all residents of the village of Pir (near Kandahar city) to evacuate and then bulldozed the settlement's 40 to 50 houses. The regime reportedly suspected villager sympathy for the mujahidin.

-- According to a separate Kandahar resident, in early March, following mujahidin operations in and from the settlement of Nahidu in the western suburbs of Kandahar, Soviet forces leveled all but one of the settlement's fifty houses. The residents, who evacuated safely, fled to Pakistan.

(B) Punitive Reprisals:

--On May 5, following a May 4 mujahidin attack on a Soviet post near the village of Kuna Khumor (ten kms. west of Kabul near

the Ghazni road), Soviet forces staged a reprisal air raid on the village, destroying a number of houses and a bridge. A reliable Afghan source reports approximately 40 people were killed.

-- On April 17, following intense Soviet-mujahidin fighting west of Ghazni town, Soviet forces attacked the neighboring villages of Tourgan and Jiratou, approximately six kms. west of Ghazni. In all, according to a reliable Afghan source, 15 civilians were killed, including one entire family who died when the roof of their house collapsed under the Soviet bombardment. In all, three houses and a bridge were destroyed in the two villages.

-- An Afghan from the Ghorband area in Parwan reports that in mid-April Soviet and DRA ground forces conducted reprisals against the local population, in one instance burning a mosque, then claiming the destruction was the result of mujahidin vandalism. Refugees from the area have arrived in Kabul following the reprisals and heavy bombing in the area.

-- In early April, Afghan sources told diplomats that following a clash between Soviet and mujahidin forces near Alishaing in Laghman province, in which Soviet casualties were unusually heavy, Soviet forces retaliated with reprisal aerial bombardment that caused the destruction of civilian homes. Earlier, on March 15, Soviet forces, according to an Afghan source, conducted reprisal raids in the same area.

-- On March 17, according to an Afghan source, helicopters attacked a village in the Sanglakh area west of Kabul. Houses and two small mosques were destroyed in the action which followed by a few hours a successful mujahidin attack on a nearby Soviet base.

#### Soviet/DRA Military Use of Indiscriminate Force

Soviet and to a lesser extent DRA military tactics have resulted in great human suffering in terms of lives lost, civilians wounded and property destroyed. Afghans consistently report the devastation of homes, businesses, orchards and vineyards along major roads throughout Afghanistan. Less than 12 kms. from Kabul, homes along the Ghazni road are abandoned and scarred with bullet and shell holes. Many have collapsed walls and roofs. Between the cities of Saiyidabad and Ghazni (on the main road between Kabul and Kandahar), for example, local

residents report that Soviet convoys employ random but near constant suppression/recon by fire along the road. As a result, all roadside structure and most trees (including orchards) have been leveled. Separate reports by travelers from Kandahar to Kabul report that roadsides are barren virtually the entire distance, with nothing left standing within fifty to one hundred meters of the road. Soviet forces regularly bomb inhabited areas in the course of military operations. While the objective of such attacks may not be specifically depopulation, the result is essentially the same. Recently visitors to Paghman reported that the former resort area is now 95 percent destroyed. Through much of the spring Soviet/DRA aerial and artillery bombardment of towns and villages near the Salang road between Kabul and the Salang tunnel, including Khoistan, Istalf, Qaabagh, Shakadara and others, sent villagers fleeing into Kabul. In late March Soviet and DRA aircraft carried out extensive bombing in the Robat-e-ja-li (tri-border) area which resulted in the deaths of many civilians. In late December, diplomats report Soviet/DRA aircraft bombed villages in Amair in Faryab province, resulting in 30 civilian casualties.

#### Soviet/DRA Employment of Inhumane Weapons

There continue to be reports of Soviet use of inhumane weapons in Afghanistan where civilians are sometimes the victims. Among recent reports, Soviet/DRA forces in the Herat area, according to a report that could not be confirmed, employed chemical weapons in operations. Some including civilians, were taken to Mashad in Iran for treatment. According to a separate report, Soviet/DRA forces in the Kandahar area have used a parachute bomb that explodes well above ground level, causing destruction over a wide area.

#### Human Rights Violations in DRA Prisons

A recent telegram provides an eyewitness account of conditions within the DRA's infamous Pul-i-Charkhi prison and within the DRA prison system more generally. It details torture, physical abuse and denial of medical care. Other recent reports corroborate this account. In conjunction with the DRA's announcement of its 'national reconciliation' line, the regime declared it would release a significant number of prisoners. While some prisoners have been released, the number is probably far less than the 5,000 plus claimed by the regime. Western journalists on hand to



witness one release from Pul-I-Charkhi said that those released in that instance were less than half the number claimed by the regime. In addition to inflation of the number of releasees (possibly by a factor of two or more), the DRA, in cases known to diplomats, drafted the releasees into military service within a day of their being freed. Reports in the press of other releases "volunteering for military service" upon release suggest that the dragoning of the former prisoners is commonplace.

#### Press Gang Operations

Following the assumption of power by party General Secretary Najib, press gang operations, in which DRA authorities shanghaied young men and even boys into the DRA military, intensified, particularly in Kabul. Although at the time of the inauguration of the "national reconciliation" policy, the regime announced an end to such press gangs, the practice resumed in Kabul in May (and earlier in Jalalabad). Parents of young people abducted for service have staged a number of noisy protests at Kabul induction centers.

#### Mujahidin Excesses

Several reports of mujahidin action which might be described as excessive have been reflected in embassy reporting:

In early April mujahidin captured five members of the national reconciliation council of Balkh as they attempted to convene a meeting. According to an Afghan report, the five were beheaded. Mujahidin appear to have been responsible for a massive vehicle bomb which exploded in Jalalabad February 4. While it was targetted against a major government installation (the city communications center), it killed 35 and wounded over 200, including many innocent civilians. Reports of other bombings, such as the bombing of a shrine in Kandahar February 6, which are blamed on the mujahidin in the regime media, are widely thought to be disinformation efforts by the regime aimed at discrediting the mujahidin, according to many Afghan reports. Regime destruction of mosques such as in Paghman or damage to others such as in Herat, while alleged to be the work of the mujahidin, invariably, according to local sources, is the result of deliberate or indiscriminate Soviet/DRA military action.

Comment: The above obviously reflects only a fraction of the human rights abuse arising from the Soviet invasion. It is only intended to complement the many other reports emerging from victims and observers. It also is intended to document what we believe to be several developing trends to include increasing reliance by Soviet forces on the tactics of reprisal and (notably in Soviet-Afghan border areas) depopulation, and continuing human rights abuse in DRA prisons. End Comment.

Department may wish to draw on the above in preparing for May 21 HFAC Subcommittee hearing on human rights in Afghanistan. Other addressees may wish to use in background briefings with press.

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